

FILE DESCRIPTION

SUBJECT Thurgood Marshall

FILE NO. Headquarters file 62-86660

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SERVICE UNIT
SEARCH SLIP

4-22a

Supervisor [REDACTED] Room 76.33

Subj: Thurgood Marshall

☒ Exact Spelling
☐ All References
☒ Subversive Ref.
☐ Main File

Searchers
Initial [REDACTED]
Date 12-11-50

☒ Restricted to Locality of
NY from 1947 to date

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SERIALS

☒ 100-3-75-A-18.21 5-11-48

☒ 61-7341-34-A-18.21 2-18-48

100-7321-246, p17; 136,

~~44-2004-1, 3,~~

~~44-1941-1,~~

100-7321-481, p10; 232,

66-8603-1-34-665,

~~65-56402-1-2153, 2631,~~

☒ 100-363501-3,

~~44-2545-4,~~

☒ 100-7321-233, p2C; (C)

☒ 62-66493-5,

☒ 62-82273-A-Sub. Stage

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N.A.A.C.P. LEGAL DEFENSE AND EDUCATIONAL FUND.

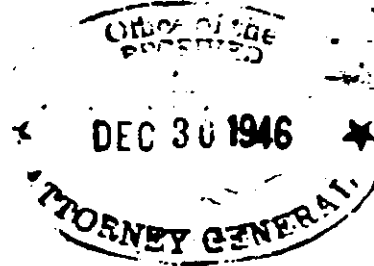
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December 27,

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Hon. Tom C. Clark
Attorney General
U. S. Department of Justice
Washington 25, D. C.

Dear Mr. Clark:

You will remember that sometime ago, I to bring to your personal attention matters affect Negroes in connection with the Department of Justice. The Federal Bureau of Investigation done a good job on peonage in the South. With exception of peonage, the record of the F.B.I. investigating cases involving Negroes has been one-sided. The inability of the F.B.I. to identify any members of the lynch mob in the Monroe, lynchings is the latest example of this. In disturbance at Columbia, Tennessee, on February 26th of this year, it is reported that F.B.I. were sent in almost immediately and were supposed to have made a thorough and complete investigation. They were unable to produce the name of a single individual responsible for the acts of violence and destruction of the property of the Negroes in town.

In the past, the N.A.A.C.P. and other organizations have used inexperienced investigators who usually been able to produce the names of the members of the mobs. In the recent Minden, Louisiana, the President of our New Orleans Branch, who had no experience as an investigator, was able to produce the names of members of that mob. In the case of Isaac Woodard by Officer Shull, in Batesburg, South Carolina, we were able to produce eyewitnesses and the names of the police officer.

The F.B.I. has established for itself a veritable record for ferreting out persons who

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ENCLOSURE

Communications are confidential for U. S. Internal Security

Hon. Tom C. Clark

December 27, 194

our federal laws. This great record extends from the prosecution of vicious spies and saboteurs, who are trained in the methods of evading identification and arrest, to nondescript hoodlums who steal cheap automobiles and drive them across state lines. On the other hand, the F.B.I. has been unable to identify or bring to trial persons charged with violations of federal statutes where Negroes are the victims. Such a record demonstrates the uneven administration of federal criminal statutes, which should not be tolerated.

You have called for a strengthening of the Federal Civil Rights Statutes, yet, I am sure it is apparent that there can be very little use to strengthen these Civil Rights Statutes if the F.B.I. continues its policy of being unable to produce the names of persons guilty of such crimes.

You will remember that Section 49 of Title 8 provides that you and other officials of the Federal Government are specifically required, at the expense of the United States, "to institute prosecution against all persons violating any of the provisions of Chapter 3 of Title 18 ... and to cause such persons to be arrested and imprisoned, or bailed, for trial before the Court of the United States or the territorial court having cognizance of the offense." This statute places an additional burden on you and other law enforcement officials of the Federal Government over and above other duties included in the oath of office. For this reason, I believe that you, as Attorney General of the United States, have the clear duty and responsibility of making a complete investigation of one of your departments, namely, the F.B.I., to determine why it is impossible for this department to maintain a record as to crimes in which Negroes are victims comparable to its record as to other crimes.

This letter is being sent to you without being released to the press, and no publicity whatsoever is being given to other than possible discussion with members of our staff. I expect to be in Washington during the early part of January and would appreciate an opportunity to discuss this matter further with you if you so desire.

Very truly yours,

Thurgood Marshall
Thurgood Marshall
Special Counsel

TM:GS
uopwa-19-CIO

P.S. In connection with the failure to identify members of the mob in the Monroe, Ga., lynchings, I imagine you have noticed the editorial in the NEW YORK TIMES for Saturday, December 21st, captioned "The Silent Indictment".

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"COMMITTEE OF 100"

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 Joseph Clark Baldwin
 Roger M. Baldwin
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 Ernest Fremont Tittle
 Carl Van Doren
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 Carter Wesley
 Justice James H. Wolfe
 Mary E. Woolley
 Bradford Young

The "Committee of 100", a voluntary cooperative group of individuals headed by William A. Nelson, has sponsored the appeal of the N.A.A.C.P. Legal Defense and Educational Fund, Inc. since 1943, and has called for public subscription of \$100,000 during 1946 to enable the Fund to meet urgent problems arising out of the post-war emergency.

FROM
THE ATTORNEY GENERAL
TO

Official indicated below by check mark

MEMORANDUM

Solicitor General	
Assistant to the Attorney General	
Assistant Attorney General, Anti-Trust	
Assistant Attorney General, Tax	
Assistant Attorney General, Claims	
Alien Enemy Control Section	
Alien Property Section	
Assistant Attorney General, Lands	
Assistant Attorney General, Criminal	
Assistant Solicitor General	
Director, FBI	
Director of Prisons	
Director, Office of Alien Property	
Commissioner, Immigration and Naturalization	
Liaison Officer, Immigration and Naturalization	
Administrative Assistant	
Division of Accounts	
Division of Communications and Records	
Division of Supplies	
Pardon Attorney	
Parole Board	
Board of Immigration Appeals	
Librarian	
Director of Public Information	
Mr. Morison	
Mr. Darsey	
Mr. Ford	
Mrs. Stewart	
Miss O'Donnell	
Miss McCarron	
Miss Neely	
Mrs. Kroll	
Miss Adams	
Miss Doyle	
Miss Moore	
Miss Dennis	

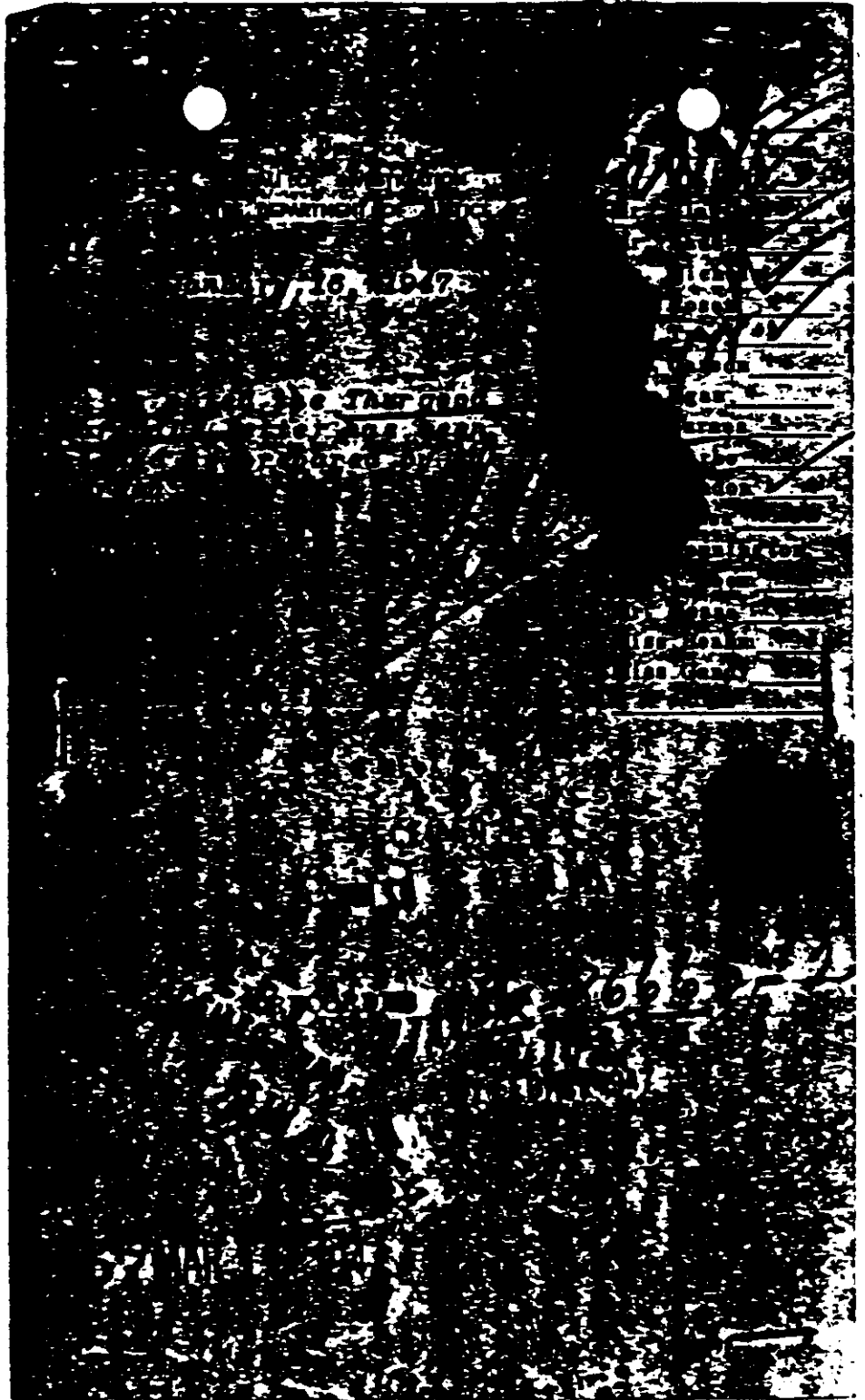
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JOHN EDGAR HOOVER
DIRECTOR



Federal Bureau of Investigation
United States Department of Justice

Washington, D. C.

January 10, 1947

MEMORANDUM FOR THE ATTORNEY GENERAL

Re: COMPLAINT BY THURGOOD MARSHALL
REGARDING CIVIL RIGHTS INVESTIGATIONS

I am returning herewith the letter addressed to you date of December 27, 1946 by Mr. Thurgood Marshall, Special of the National Association for the Advancement of Colored Legal Defense and Educational Fund, in which Mr. Marshall is critical of the work of the FBI in investigating cases involving negroes.

In order that you may be fully advised concerning the with reference to individual cases referred to in Mr. Marshall's letter, I am setting out hereafter information concerning the situations and I am, in addition, attaching hereto a suggestion to Mr. Marshall's letter. I must state, however, that I do not expect Marshall to accept any factual explanation of situations about which he has complained, because I have from previous dealings with him that he is most careless as to the and facts in the charges which he makes against the FBI. In of his attitude, I might point out that under date of May 1 Mr. Marshall addressed to me a letter in which he charged me on the part of Special Agents of the Bureau in conducting cases involving negroes and in interviewing negroes. The charges Mr. Marshall were, if true, serious charges.

By letter dated May 14, 1946 addressed to Mr. Marshall assured him that I would not tolerate any acts of misconduct part of Bureau agents and explained to him that I would have an immediate administrative inquiry into the charges made by him. He would furnish the names of the persons making the complaints against the Bureau agents, in order that I could determine the identity of the agents allegedly indulging in misconduct. To some length in my letter of May 14th to explain to Mr. Marshall that "stringent disciplinary action is taken against any agent who, by any act, prejudices the Bureau's program of a thorough, impartial and entirely ethical and legal investigation of all cases". Despite my request for identifying data which permit me to make investigation into Mr. Marshall's charges against Bureau agents and despite my assurance to him that disciplinary



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ATTORNEY GENERAL

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Memorandum for the Attorney General

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action would be taken where justified, Mr. Marshall has never answered my letter of May 14th or furnished any information would permit me to investigate the charges made.

I believe that Mr. Marshall's obvious hostility to the Bureau dominates the thinking of his associates in the legal operations of the National Association for the Advancement of Colored People. I might point out that when the Bureau was desiring to conduct an investigation into the case involving assault upon [redacted] by [redacted] at South Carolina, the victim, [redacted] a negro, when interviewed by Bureau agents, declined to furnish any information to us on grounds that [redacted] Counsel of the National Association for the Advancement of Colored People, had instructed him not to talk to the FBI except in [redacted] presence and the permission of [redacted]. According to [redacted] stated, in referring to the FBI, that "They are not on your side they are on the side of the government". It might be noted in this situation that [redacted] was the victim of an assault and the witness in the Bureau's efforts to conduct an investigation determine whether there had been a violation of Federal Civil Rights Statutes. The restrictions placed upon [redacted] by the N.A.A.C.P. representative resulted in considerable needless delay in the investigation of this case.

Marshall cites the Roger Walcott lynching case near Milledgeville, Georgia, as an example of the one-sided investigations conducted in this type of case. I believe that it should be pointed out to Marshall in connection with that case that a thorough and extensive investigation has been conducted, in the course of which nearly 2,000 people have been interviewed, and that the testimony of approximately 106 witnesses was heard by a Federal Grand Jury at Athens, Georgia, which Grand Jury did not return any indictment.

Marshall refers also to the Columbia, Tennessee, race riot on February 25 and 26, 1946, an investigation of which was conducted by this Bureau and reports submitted to the Criminal Division under the caption "Racial Violence Columbia, Tennessee; Civil Rights Domestic Violence". You will recall that at the conclusion of the investigation in that case all of the facts were presented to the Federal Grand Jury and that at the conclusion of the testimony the jury expressed the opinion that there had been no violation of Federal statute and further commended the law enforcement officials for their manner in handling the situation.

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Memorandum for the Attorney General

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Later on in his letter, Marshall points out that [redacted] called for a strengthening of the Federal Civil Rights Statutes but questions the effectiveness of any such statutes when convictions and convictions do not result from the investigation of the statutes already in force. I believe it can be pointed out to Marshall that the two cases referred to above tend to show the need for specific civil rights statutes with clearly defined violations rather than the failure of the Bureau or the Department when operating under the present highly controversial statutes.

Marshall makes the further statement that the N.A.A.C.P. has used inexperienced investigators who have been able to obtain the names of the members of mobs and refers specifically to the recent Minden, Louisiana, lynching. Reports of investigation of that case have been forwarded to the Criminal Division under the caption "Deputy Sheriff [redacted] et al.; J. Edgar Jones and [redacted] - Victims; Civil Rights and Lawlessness and Violence". You will recall that that case involved the beating of two negroes by Deputy Sheriff [redacted] to a mob of men who beat them out and severely beat them, as a result of which Jones died and [redacted] survived. Indictments have already been handed down against Deputy Sheriff [redacted], Deputy Sheriff [redacted] and three persons who were members of the mob. A number of eye witnesses, some of whom were negroes, have identified some of the men in the mob and one negro informant reported what he believed to be a list of the individuals involved but had no evidence to support his belief. I believe it should be pointed out to Marshall that although information as to suspects in some cases has been obtained by the N.A.A.C.P. or some of its representatives, the furnishing of such names of suspects does not constitute a solution to the problem in a civil case although it does lend invaluable assistance. The real problem in these cases is to obtain definite and convincing evidence admissible in court to prove the identity of the persons responsible.

In referring to the [redacted] case which, you recall, involved the beating of [redacted] by [redacted] at Batesburg, South Carolina, which resulted in [redacted] blindness, Marshall states that the N.A.A.C.P. was able to obtain eye witnesses and the name of the police officer. In this case it is to be noted that the original complaint received from the N.A.A.C.P. and from victim [redacted] stated that the beating occurred at Aiken, South Carolina, and it was not until the investigation at this Bureau had been instituted that it was learned that the beating had actually occurred at Batesburg. Marshall's statement that eye witnesses were produced is misleading but the Bureau agent

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Memorandum for the Attorney General

viewed all persons suggested by the N.A.A.C.P. and furnished information to government attorneys.

To refute Marshall's charges that the FBI has exhibited bias and prejudice in conducting investigations involving me, I believe that a few cases where successful prosecutions have had in civil rights cases should be cited and that Marshall be informed in no uncertain terms that all investigations conducted by the Bureau are conducted impartially and without regard to the race or color of any persons involved.

Respectfully,

J. E. Hoover
John Edgar Hoover
Director

Attachments

get up letter on this

OO-247

Mr. Tolson ✓
 Mr. E. A. Tamm ✓
 Mr. Clegg ✓
 Mr. Glavin ✓
 Mr. Ladd ✓
 Mr. Nichols ✓
 Mr. Rosen ✓
 Mr. Tracy ✓
 Mr. Egan ✓
 Mr. Gurnea ✓
 Mr. Harbo ✓
 Mr. Mohr ✓
 Mr. Pennington ✓
 Mr. Tamm ✓
 Mr. Nease ✓

October 18, 1947

MEMORANDUM FOR MR. TOLSON

I am attaching hereto a summary of our relationships with Thurgood Marshall. As you suggest, we have not included our entire relationships with the National Association for the Advancement of Colored People as such a memorandum would be exceedingly voluminous; however, the pertinent data on Marshall are incorporated.

Respectfully,

[Signature]
 J. B. Nichols

Attachment
 Index back of memo

Thurgood Marshall - Summary

RECORDED
 INDEXED

162-86660-3
 FBI
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THIS MEMORANDUM IS FOR ADMINISTRATIVE PURPOSES
 TO BE DESTROYED AFTER ACTION IS TAKEN AND NOT SENT TO FILES

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October 18, 1947

Re: THURGOOD MARSHALL

I. BIOGRAPHICAL DATA

According to a letter from the NAACP dated September 19, 1947, Thurgood Marshall appears on a list of executive officers of the Association as Special Counsel.

He was listed as a sponsor of the American Civil Liberties Union, (Southern California Branch,) according to the Annual Report of the organization for 1939.

According to information received in 1942, Marshall was on the Board of Directors of the American Civil Liberties Union.

On February 10, 1944, there was an announcement of the results of a nationwide poll by the Schomburg Collection of Negro Literature of the New York Public Library to determine the six white individuals or organizations and the twelve Negro individuals or organizations which had done the most outstanding work during the preceding year for the improvement of race-relations. Among the Negroes nominated was Thurgood Marshall.

The Daily Worker on July 1, 1946, indicated that Marshall received the Spingarn Medal, the NAACP's highest award, for his work in defense of Negroes, at the 37th Conference of the organization in Cincinnati.

A report of the Special Committee on Un-American Activities lists Thurgood Marshall as being an officer of the International Juridical Association. This same report on page 809 lists him as a member of the National Committee of this association from Maryland.

Identification records reflect that one Thurgood Marshall, Negro, born July 2, 1908, at Baltimore, Maryland, was fingerprinted in the Virgin Islands on October 1, 1946, when he applied for a passport. These prints were searched against the criminal files of the Identification Division on October 15, 1947, and no record was found.

II. IDEOLOGICAL SYMPATHIES

The NAACP had a two-day conference in Florence, South Carolina, on June 13 and 14, 1943, at which Thurgood Marshall was the principal speaker. [redacted] who was then [redacted] of the Wilson colored school in Florence, South Carolina, stated that he had met Marshall and believed him to be a loyal American who would go as far as he could to further the aims of his organization but would not permit anything radical to be done to accomplish the desired end.

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He advised that Marshall, as a private individual, believed much as he did regarding the methods used by the organization (NAACP) in appealing to the mass of Negroes. The informant stated, however, that Marshall had remarked in private to him that although he does not believe in some of the things he advocates from the speaker's platform, the best way to secure the mass support of the colored people was through advocacy of an active militant attitude toward the betterment of the colored race.

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[redacted] colored minister of Florence, South Carolina, who belonged to the NAACP, stated that Marshall was a loyal American and that although he would be militant in helping his organization achieve its aims he would not allow the use of force or un-American or illegal means.

The Florence, South Carolina, morning paper on June 18, 1943, quoted Marshall as stating that the recent race riots in Detroit were attributed to subversive groups. He discussed Army treatment of Negroes and was very praiseworthy of the way in which the Army and entire Federal government treated Negro people. He stated this was not true of very many local agencies. Marshall added that the colored people had more to lose should the Axis nations be victorious than did the white people. In general terms he condemned subversive organizations of all kinds and warned the Negroes against them. He said that they should be ever alert to advance the cause of the colored people but that they should be Americans first and strive for their own betterment secondly. He added that Communists were not as active among the colored people today as they were fifteen years ago for the colored people have found that Communism does not give them what they expect to get. Marshall advised a Bureau informant that it was not the policy of NAACP to be belligerent in any way but hinted that the organization would sponsor a group which would be belligerent if the association believed in the aims of the organization.

[redacted] a Negress who was formerly [redacted] of San Francisco Chapter of the NAACP, advised that it was necessary in 1943 to hold two meetings before officers could be elected. She admitted that early in 1943 and during the year 1942 she had attempted to work with Communist Party members in the Association in harmony. After they could not agree on the new officers at the first meeting, they held another meeting on December 3, 1943. [redacted] attempted to turn the chair over to one Wesley Peoples and immediately the Communist Party members objected and recommended another person as Chairman. After much argument, it was finally decided to draft Thurgood Marshall as Chairman. He happened to be in the city on other business.

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Marshall consented and was given two ballots - one prepared by [redacted] supporters and the other by the Communist-dominated group. Marshall proposed that instead of using either that both be used as a guide and that the members vote on a blank sheet of paper, which was done. [redacted] alleged that the Communists attempted to influence the Negroes to vote against her. She stated that she had a discussion with Marshall about a week before the election, at which time she explained to him the trouble they were having with Communists. He allegedly told her he knew the Communists were trying to move into the various chapters of the NAACP and especially on the Pacific Coast. He reportedly urged [redacted] to have a show-down fight with the Communists. He appeared quite sympathetic and interested in the problem. [redacted] advised she later learned that Marshall also had a conference with her opponents, with whom Marshall was quite friendly. She was of the opinion that these Communists swayed the opinion of Marshall against her.

The January 2, 1944, issue of the Daily Worker contained the first of a series of articles by [redacted] on what had been done about the causes of the August race riots in Harlem the preceding year. A number of people were listed as having been interviewed to get material for the articles and Marshall's name was included among them. The gist of the articles was that the causes of the race riots were still present.

The New York Amsterdam News, a Negro newspaper, indicated on January 20, 1945, that [redacted] of the OPA area rent office in Harlem, had been removed from his post the preceding week. An informant said that [redacted] was definitely a fellow traveler and quite possibly a member of the Communist Party. An article in this paper quoted Thurgood Marshall as stating in a letter [redacted] "The removal of the only Negro serving as a rent director in Region 2, or so far as we know the only one in the country, raises a serious question as to the real reason for his removal." Marshall was further quoted as stating in the letter that [redacted] "possesses to a high degree the qualifications generally regarded as desirable for such an administrative office. [redacted] is a Negro. It is obvious that any governmental action in an area which includes Harlem has a direct effect upon race relations, not only in the area involved but throughout the country."

The weekly intelligence summary of the Army Service Forces, Headquarters First Service Command, Boston, Massachusetts, for the week ending February 15, 1946, contains an item from a source described as "completely reliable" that Thurgood Marshall, as legal representative of the New York NAACP Headquarters, held

a meeting with the Boston NAACP on February 4, 1946, as a result of a protest against election procedure. A Communist supported faction had been elected and the defeated conservative faction was protesting. Marshall explained that he had not come to Boston to settle the matter but simply to act as arbiter for the two factions and to report to the National NAACP, New York, concerning the dispute.

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The Cleveland Press on March 13, 1946, stated that the Cleveland branch of the NAACP and a Citizens' Committee were sponsoring a protest mass meeting against the "ugly race situation" in Columbia, Tennessee. The meeting was to be held on March 15 and among the speakers was Thurgood Marshall, [redacted] (reported Communist Party member), [redacted] (Communist Party sympathizer), [redacted] of the Communist Party, and others.

On April 10, 1947, [redacted] advised a Special Agent in Austin, Texas, that he was trying to set up a NAACP chapter at the University of Texas, and that certain individuals who followed the Communist Party line were trying to get control of it. [redacted] contacted Thurgood Marshall, who said that if any office of a NAACP chapter was held by a Communist the chapter would be withdrawn.

A confidential informant of the New York Office advised on August 22, 1947, that [redacted] of the Daily Worker, sent the following telegram on August 21, 1947, to Thurgood Marshall and numerous other parties:

"Have you seen [redacted] brief in [redacted] case and will you comment for publication in our paper?"

A confidential informant of the New York Office reported that Marshall is a good friend of Max Yergan, Executive Director of the Council on African Affairs, President of the National Negro Congress, and a key figure in known Communist circles. The same informant termed Marshall as a "fellow traveler" and added that he may possibly be a member of the Communist Party.

III. CHARGES AGAINST THE BUREAU

[redacted] Case

Allegation:

The Department of Justice files contain a letter dated January 30, 1942, from Thurgood Marshall, lambasting the Department for failing to prosecute in this case. Marshall stated in his letter "the reason there is no evidence is

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because of the type of investigation made by the Federal Bureau of Investigation. This case was reported to the Department of Justice in June of 1940. The FBI Agents sent to investigate the charge against [redacted] talked to [redacted] as soon as they reach Brownsville and took him with them on their rounds to question witnesses. Quite naturally the Negroes would not 'talk' in front of [redacted] who had already killed at least one Negro and run several others out of town." This letter was acknowledged over Wendell Berge's signature on February 11, 1942, and stated in substance that facts did not justify prosecution. The letter did not make reference to the material quoted above nor was the letter called to the Bureau's attention.

Facts:

On the morning of June 23, 1940, the body of a Negro named Albert Williams was found floating in a river near Brownsville, Tennessee. It appeared that prior to finding the body certain Negroes had gone to the election officials to inquire about voting in the 1940 elections.

[redacted] was the principal subject, according to the allegations. On June 24, 1940, the Memphis office advised by teletype that the Assistant U. S. Attorney at Memphis had received Departmental instructions for an investigation at Brownsville. The SAC advised that he would proceed unless advised to the contrary. On June 29 a preliminary report was submitted and on July 11, 1940, the Department requested an active investigation. In November of 1940, the U. S. Attorney at Memphis stated that no additional inquiry was deemed necessary or practical. In December of that year the Department advised no further investigation was necessary. On January 23, 1942, the Attorney General's office advised the U. S. Attorney to close the case. All Agents working on the case denied that [redacted] accompanied them on the investigation and [redacted] when recently interviewed, denied he accompanied the Agents.

On September 24, 1947, Marshall directed a letter to the Bureau on this same case making the following charges:

Allegation:

Special Agents took [redacted] along with them while questioning Negro witnesses.

Facts:

[redacted] This is emphatically denied by all Agents and [redacted]

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Allegation:

[redacted] and Wendell Berge stated that the FBI could not locate a witness named [redacted] and that he, Marshall, located [redacted] without difficulty.

Facts:

It is true that we attempted to locate this individual with negative results but we could and would have located him had we not been told to hold the investigation in abeyance by the U. S. Attorney.

Allegation:

The FBI could not locate a witness named [redacted] and that he, Marshall, went to Brownsville and ascertained that [redacted] was actually [redacted] who was residing in Chicago. Marshall said he went to Chicago and found [redacted] without difficulty.

Facts:

A lead had been set out to obtain the address of [redacted] but apparently due to the normal delinquency in the Memphis Office, the lead was not covered. It would have been had the investigation not been terminated by Department orders.

On October 6, 1947, the Director sent a letter to Marshall pointing out the matters noted above concerning the [redacted] case and defending our position and denying his allegations. In this letter the Director suggested that in the future complaints received by Marshall concerning the FBI should be called to the Director's attention so that an appropriate inquiry can be made. The Director stated, "I believe this will be effective in getting results which I am sure both you and I desire."

Monroe, Georgia, Lynching

Allegation:

On December 27, 1946, Marshall wrote to the Attorney General pointing out that he, Marshall, agreed to bring to the Attorney General's personal attention matters which affect Negroes in connection with the Department of Justice. In this letter, Marshall stated, "the Federal Bureau of Investigation has done a good job on peonage in the South. With the exception of peonage, the record of the FBI in investigating cases involving Negroes has been notably one-sided. The inability of the FBI to

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identify any members of the lynch mob in the ~~Monroe~~, Georgia, lynching is the latest example of this."

Pointing out that the Attorney General had called for a strengthening of the Federal Civil Rights Statutes, Marshall claimed that there would be very little use to strengthen these statutes if the FBI continued its policy of being unable to produce the names of persons guilty of such crimes. He said that he believed it was the Attorney General's duty of making a complete investigation of the FBI to determine why it is impossible for the FBI to maintain a record as to crimes in which Negroes are victims comparable to its record as to other crimes.

Facts:

On January 10, 1947, the Director in a memorandum to the Attorney General answered the charges of Marshall. The Director pointed out that frankly he did not expect Marshall to accept any factual explanation of the situations about which Marshall had complained because the Director had found from previous dealings with Marshall that Marshall was most careless as to the truth and facts in the charges which he makes against the FBI.

The Director mentioned the Roger Malcolm lynching case near Monroe, Georgia, which Marshall cited. It was pointed out that a thorough and exhaustive investigation had been conducted in the course of which nearly 2,800 persons had been interviewed and that the testimony of approximately 106 witnesses was heard by a Federal Grand Jury in Athens, Georgia, which Grand Jury did not return any indictments.

Columbia, Tennessee, Race Riots

Allegation:

In his letter of December 27, 1946, to the Attorney General, Marshall stated, "In the disturbance at Columbia, Tennessee, on February 25 and 26 of this year, it is reported that FBI Agents were sent in almost immediately and were supposed to have made a thorough and complete investigation, yet, they were unable to produce the name of a single individual responsible for the acts of violence and the destruction of the property of the Negroes in that town."

Facts:

The Director, in his memorandum to the Attorney General dated January 10, 1947, referred to the Columbia, Tennessee, race riot on February 25 and 26, 1946, mentioned by

Marshall. It was pointed out that an investigation of this case was conducted and reports submitted to the Criminal Division under the caption, "Racial Violence, Columbia, Tennessee; Civil Rights and Domestic Violence." It was indicated that at the conclusion of this investigation all of the facts were presented to a Federal Grand Jury and at the conclusion of the testimony, the jury expressed the opinion that there had been no violation of any Federal statute and further commended the law enforcement officers for their manner of handling the situation.

Minden, Louisiana, Lynchings

Allegation:

Marshall, in his letter to the Attorney General on December 27, 1946, pointed out that his organization and other organizations have used inexperienced investigators who have usually been able to produce the names of the members of the mobs. In the Minden, Louisiana, lynchings, Marshall stated, "the President of our New Orleans Branch, with no experience as an investigator, was able to produce the names of members of that mob."

Facts:

It will be recalled that this is the case in which Congressman Overton Brooks of Louisiana took an interest. On the evening of March 3, 1947, the Bureau received inquiries from the press regarding a statement issued by the Congressman on the case in which he denounced the FBI as a result of the prosecutive action instituted in Louisiana, growing out of the killing of John Cecil Jones on August 8, 1946, and the beating of [REDACTED] near Minden, Louisiana.

With reference to Marshall's allegation, the Director advised the Attorney General that reports of the investigation in that case were forwarded to the Criminal Division under the caption, "Deputy Sheriff [REDACTED] et al; John Cecil Jones and [REDACTED] - Victims; Civil Rights and Domestic Violence." This case involved the release of two Negroes by Deputy Sheriff [REDACTED] to a mob of men who took them out and severely beat them, as a result of which Jones died but [REDACTED] survived. A number of eye witnesses, some of whom were Negroes, identified some of the members of the mob and one Negro informant reported what he believed to be a list of the individuals involved but had no evidence to substantiate his belief.

The Director suggested to the Attorney General that

Marshall might be advised that although information as to suspects in some cases had been furnished by the NAACP or some of its representatives, the furnishing of such names of suspects did not constitute a solution to a particular case, although it did lend invaluable assistance. The Director further pointed out that the real problem in these cases was to obtain definite and concrete evidence, admissible in court, to prove the identity of the individuals responsible

It might be noted that all parties prosecuted in connection with this case were acquitted by a jury in the United States District Court at Shreveport.

 Case

b7c

Allegation:

In his letter of December 27, 1946, to the Attorney General Marshall commented as follows with regard to this case: "In the beating of [redacted] by Officer [redacted], in Batesburg, South Carolina, we were able to produce eye witnesses and the name of the police officer." Marshall was, of course, contrasting the alleged difficulty of the FBI in solving this and similar cases with the ease with which the NAACP located witnesses.

Facts:

Marshall's statement is misleading, to say the least, but the FBI did interview all persons suggested by the NAACP and gave their information to the government attorneys. It is to be noted that the original complaint from the NAACP and [redacted] himself placed the incident in Aiken, South Carolina, and it was not until the Bureau investigation was started that it was learned the offense occurred in Batesburg.

[redacted] a discharged colored veteran, was en route from Georgia, where he had been discharged from the Army, to New York City. Investigation requested by the Department revealed that he was arrested on February 12, 1946, by [redacted] at Batesburg, South Carolina, following a disturbance created by the victim on a bus traveling north from Augusta, Georgia. [redacted] was drinking on the bus in violation of the state law and frequently demanded that the bus be stopped for his convenience. At the request of the bus driver, [redacted] took [redacted] into custody and while en route to the police station at Batesburg, [redacted] resisted arrest and attempted to take [redacted] blackjack away from him. As a result, [redacted] struck [redacted] over the head with the blackjack. [redacted] claimed that he struck him only once and subsequent medical reports did not indicate that the Negro had been severely beaten. He was lodged in jail over night and the next morning complained that his eyes bothered him. Some swelling was present around his eyes and after he was arraigned he was taken to the Veterans' Hospital at Columbia, South Carolina, where he remained for two months. He was then released as hopelessly blind in both eyes.

In his communication to the Attorney General, the

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Director pointed out that the Bureau was endeavoring to conduct an investigation into the case involving the assault upon [redacted] by [redacted] at Batesburg, South Carolina, and that [redacted] a Negro, when interviewed by FBI Agents, declined to furnish any information to the FBI on the grounds that [redacted] Counsel for the National Association for the Advancement of Colored People, had instructed [redacted] not to talk to the FBI except in [redacted] presence and with the permission of [redacted] alleged that [redacted] in referring to the FBI, stated, "They are not on your side - they are on the side of the government." The restrictions placed upon [redacted] by the NAACP representative resulted in considerable needless delay in the investigation of this case.

It might be noted that the United States Attorney filed an information against [redacted] on September 26, 1946, and [redacted] was released under \$2,000 bond. He was tried in Federal Court and acquitted on November 5, 1946.

Misconduct of Agents in Cases Involving Negroes

Allegation:

Under date of May 10, 1946, Marshall wrote the Director charging misconduct on the part of Special Agents of the Bureau in conducting cases involving Negroes and interviewing Negroes.

Facts:

The Director wrote to Marshall on May 14, 1946, assuring him that he would not tolerate any acts of misconduct on the part of FBI Agents and that he would conduct an immediate administrative inquiry into the charges if Marshall would furnish the names of the persons making the complaints against the FBI Agents. The Director went to some length in his letter of May 14th to Marshall to explain that "stringent disciplinary action is taken against any Special Agent who, by any act, prejudices the Bureau's program of conducting thorough, impartial and entirely ethical and legal investigations of all cases." Despite the Director's request for identifying data which would permit him to make investigation into Marshall's charges, and despite the Director's assurance to Marshall that disciplinary action would be taken where justified, Marshall never answered the Director's letter of May 14th or furnished any information which would permit the Director to investigate the charges made.

In connection with charges made against the Bureau by Marshall, on January 13, 1947, the Director wrote to [redacted] of the NAACP, and pointed out to him the

b7c

repeated efforts on the part of Thurgood Marshall to embarrass the FBI and to discredit its investigations, particularly in cases involving civil rights of Negroes. The Director said that he was particularly concerned because the Attorney General had brought to his attention a letter dated December 27, 1946, in which Marshall criticized the work of the Bureau. The Director pointed out to [REDACTED] that he had endeavored through the years to administer the work of the FBI in a judicial and impartial manner. The Director pointed out that misconduct on the part of an individual agent would result in drastic administrative action and noted that Thurgood Marshall refuses to accept the fact that the Bureau tries to do a thorough job in its investigative work regardless of the identity of the persons involved. He noted that Thurgood Marshall and his associates in the Legal Branch of the NAACP had not rendered full cooperation and further that Thurgood Marshall's attitude did not measure up to the standards of cooperation which had been set by [REDACTED]

On January 24, 1947, [REDACTED] acknowledged the Director's letter and stated that he discussed the matter with Thurgood Marshall. Thurgood Marshall had told [REDACTED] that the Attorney General had requested him to bring to his attention any matters which affect Negroes in connection with the Department of Justice. Further that Marshall had requested of Mr. Clark an appointment in order to discuss the criticisms face to face. [REDACTED] said that he believed that a great deal of good could be done if the Director and Marshall sat down and discussed the matter frankly.

IV. OTHER RECENT CASES IN WHICH MARSHALL HAS EXPRESSED INTEREST

Arrest of Marshall in Tennessee

On December 4, 1946, Marshall wrote the Assistant Attorney General, Theron L. Caudle, to the attention of [REDACTED] concerning an incident in Columbia, Tennessee, on November 18, 1946. The letter indicated that Marshall was arrested on the charge of operating an automobile while intoxicated, and that he was subsequently discharged by a Justice of the Peace, J. J. Poague, of Columbia. Marshall stated that at the time of his arrest he was accompanied by [REDACTED] of Nashville, Tennessee, and [REDACTED] of Chattanooga, Tennessee, and [REDACTED] a reporter for the Daily Worker of New York.

Marshall's letter indicated that at the time his automobile was stopped, three other automobiles containing law enforcement officers were on the scene. It appeared that a Negro informant told a constable that Marshall, [REDACTED] and [REDACTED]

b7c

██████████ were planning to transport liquor in their car on their trip to Nashville, Tennessee. Since Maury County, in which Columbia is located, is a dry county, such transportation would be in violation of the law.

Upon receipt of this information, Constable ██████████ secured a John Doe search warrant for the car which Marshall and the others were using and when the Marshall car came along the Nashville highway, it was stopped and a search was made. Assistant Attorney General Caudle, in a letter to the Bureau on January 7, 1947, stated that it further appeared that the Marshall automobile was stopped three times - once for the purpose of searching it, a second time to inspect Marshall's operator's license, and a third time to make the arrest; that after the arrest, Marshall's companions were told that they might proceed to Nashville; that, in supposedly proceeding to Columbia with Marshall, the officers turned off the main highway into a dirt road leading elsewhere; and that they returned to the main highway only after noticing that Marshall's companions were following them.

In January, 1947, our Memphis Office conducted an investigation into this matter and learned that Constable ██████████ had received information from a colored informant that Marshall and his companions were leaving Columbia, Tennessee, on the night of November 18, 1946, in an automobile in which there would be a quantity of whisky. On the basis of this information ██████████ swore out a John Doe warrant because he did not know who owned the automobile. Accompanied by a constable and two deputy sheriffs, he stopped the automobile driven by Marshall between 7 and 8 p.m. on the evening of November 18th. No whisky was found in the automobile. Deputy Sheriffs ██████████ and ██████████ arrested Marshall after detecting that he had been drinking on the basis of Marshall's driving an automobile under the influence of liquor.

Marshall, according to the officers, was taken directly to the office of Magistrate Poague, who expressed the opinion that Marshall was not drinking, whereupon Marshall was released. The officers contended that they stopped the automobile only once and that the entire operation from the time of stopping the car until Marshall's release was within a thirty-minute period.

The Department, on March 11, 1947, requested that additional investigation be conducted in this case for the following reasons. During the interview with Constable ██████████ he stated that in the beginning he had obtained the information which caused him to secure the search warrant from a colored informant, whose identity he would not reveal. ██████████ then

b7c

changed his story and said he felt he was being the "fall guy" in the entire incident and that the original information was given to him by Sheriff [redacted] and some of his deputies, who requested [redacted] to swear out the warrant. [redacted] expressed the belief that "Sheriff [redacted] wanted to get a 'last crack' at [redacted] and Marshall." The Department requested that Constable [redacted] be reinterviewed; that a signed statement be secured from him, if possible, and that he be asked to disclose fully the circumstances, evidence and conversations with Sheriff [redacted] and his deputies in connection with their request that [redacted] swear out a warrant on the basis of information which they had received.

[redacted] executed a signed statement in which he stated that he received information from Sheriff [redacted] upon which he based his affidavit for a search warrant. A signed statement secured from Sheriff [redacted] and Deputies [redacted] and [redacted] reflected that [redacted] informed them that he had information from an informant upon which [redacted] secured the search warrant. Magistrate Poague advised that the affidavit and search warrant were destroyed by him when nothing was found in the car in question and no record was kept.

On August 27, 1947, the Department advised that it was not believed that there was sufficient basis of prosecutive action in this case and, accordingly, no further investigation need be made by the Bureau.

[redacted] Case

On March 21, 1946, the Department referred to the Bureau a letter from Thurgood Marshall enclosing a copy of a complaint made by one [redacted] stated that he was a soldier in the regular Army and after serving in the Southwest Pacific, was given a 90-day furlough to visit his parents. He stated that he and his brother, Kenneth, and [redacted] went to a filling station in El Campo, Texas, operated by one [redacted], to get some cold drinks. While standing there a white man ordered the cousin to put his shirt tail in. The cousin replied that he did not know his shirt tail was out. The man became infuriated and began cursing, and [redacted] claimed that they walked away. As they walked down the road, they met the sheriff and he told them to return to the filling station.

A fight ensued and [redacted] was slapped by the sheriff, who pulled out his pistol. Shots were fired and Kenneth was killed. The Department requested that we make a preliminary investigation into this matter and to furnish the U. S. Attorney at Houston with copies of the report. The facts developed that

the three Negroes had been involved in an argument with a white man at the filling station in question. The white man reported the matter to the sheriff and three peace officers were dispatched to the scene. The fight ensued and one of the three Negroes was killed.

A local grand jury failed to indict the three officers who took part in the affray. On June 27, 1946, the Department advised that the matter would be presented to a Federal Grand Jury and that no further investigation was desired. On January 15, 1947, the facts were presented in Federal Grand Jury in Galveston and a no true bill was returned.

Prentice McCann Case

b7c

One Prentice McCann, a Negro, died from gunshot wounds inflicted by Officer [REDACTED] of the Mobile, Alabama, Police Department on July 7, 1945, at Maysville, Alabama. [REDACTED] and another officer had stopped their patrol car alongside a Negro dice game. The officers stated that McCann was shot while advancing in a threatening manner, disregarding orders to halt and after Officer [REDACTED] had struck McCann with his fist in an effort to stop him.

In connection with this incident, Marshall forwarded to the Department of Justice a number of affidavits signed by Negro witnesses alleging that the shots were fired the instant the patrol car stopped and without provocation. Investigation by the Bureau developed conflicting testimony on this point and the Department advised that, in the absence of sufficient evidence to overcome the police officers' defense of self-defense, no prosecutive action was merited.

b7c

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b7c

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Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. NICHOLS
FROM : M. A. [REDACTED]
SUBJECT: Thurgood Marshall
National Association for the Advancement
of Colored People

DATE: 12/8/50

A phone call from the captioned individual this afternoon referred to SA [REDACTED] from the Director's Office.

Marshall states he is attempting to get his passport to go to Japan and that the military clearance permit has not as yet been issued. He wondered if the FBI had anything to do with this matter. He was advised that this was strictly a military matter.

Marshall's New York phone number is [REDACTED]

ACTION:

61 DEC 21 1950

No other action is necessary.

RECORDED - 62

INDEXED - 62

EX-4

162-83660-4
DEC 13 1950

ARCH SLIP

Supervisor

Room

7633

Subj: Thurgood Marshall☒ Exact Spelling

Searcher

☐ All References

Initial

☒ Subversive Ref.Date 12-11-5☐ Main File☒ Restricted to Locality ofref from 1947 to date

FILE NUMBER

SERIALS

b7C

~~61-1019-119~~
✓ 100-135-11-319, p5;
61-3176-419, 426, 427,
411, 364, 478,
62-82915-28, 27, 14,
~~65-56402-1-2669, 2909~~
61-7582-A-D. 24. 11-24-47
~~100-347825-A-D 34 12/10/4~~
✓ 100-135-53-257, p18;
✓ 61-10149-1069, p6;
~~100-3-65-242~~
~~99-401-230~~
✓ 100-7321-96,

Initialed

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b7C

SERVICE UNIT

4-22a

Supervisor

Room 7633

Subj: Thurgood Marshall

☒ Exact Spelling
☒ All References
☒ Subversive Ref.
☒ Main File

Searcher
Initial
Date 2-11-5

☒ Restricted to Locality of
NY from 1947 to date

FILE NUMBER

SERIALS

✓ 61-3176-A- Peoples
✓ Voice 2-14-48
~~100-365-968, p6;~~
✓ 100-3-28-1042, p61;
~~100-3-3191, Vol. I memo,~~
✓ 100-360733-7,
~~65-56422-26 to 2982,~~
✓ 100-363501-A- The
✓ Worker 2-19-50
~~100-7321-409,~~
44-3363-11,
~~44-2559-4,~~
~~100-355127-1,~~

Initialed

485

b7c

SERVICE UNIT

4-22a

Supervisor

Room 7635

Subj: Thurgood Marshall

☒ Exact Spelling
☒ All References
☒ Subversive Ref.
☒ Main File
☒ Restricted to Locality of

Searcher
Initial
Date 12-11-50

ref from 1947 to date

FILE NUMBER

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✓ 61-3176-A-K. 21. 6-16-50

~~65-56402-1-3040, 3008,~~

100-7321-127, p15, 27, 16,

✓ 201, p11;

~~44-2988-2, 43,~~

~~65-56402-1-2942, 2927,~~

~~44-1854-10,~~

✓ 100-7321-135, encl p11;

✓ 61-7341-A- n. y. times

2/25/49

✓ 100-7321-516, encl 18;

61-3176-503, 518,

✓ 62-82915-2,

Wittler

Initialed

480

b7c

SERVICE UNIT

4-22a

Supervisor

Room 7633

Subj: thurgood Marshall

☒ Exact Spelling
☒ All References
☒ Subversive Ref.
☐ Main File

Searched ☒
Initials ☒
Date 12-11-58

☒ Restricted to Locality of
NY from 1947 to date

FILE NUMBER

SERIALS

☒ 44-1540

☒ 62-86660

☒ 62-86660-3, summary

10-18-47

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☒ 100-3-40-118

~~44-1601-1~~

☒ 61-3176-372X, 410, 37-

~~44-359-33, 34, 35~~

☒ 94-3-4-873-84

☒ 100-7321-94

☒ 61-3176-A-774 Peoples

Voice 11-8-47

Writter
Initialed

487

b7c

SERVICE UNIT

4-22a

Supervisor

Room 763

Subj: thurgood Marshall

☒ Exact Spelling
☐ All References
☒ Subversive Ref.
☐ Main File

Searcher
Initials
Date 12-11-5

☒ Restricted to Locality of
ref from 1947 to date

FILE NUMBER

SERIALS

✓ 61-3176-462,
~~181-3463-11, 10,~~
✓ 100-135-53-258, p16;
~~100-7321-78, and p18,~~
Mrs. thurgood Marshall
✓ 61-3176-A - Peoples
World 11-8-47.

t. Marshall

~~66-5321~~

~~61-0-12163,~~

~~61-999-25, p2,~~

W. J. [signature]
Cb

Initialed

408

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT *MB*
FROM : V. P. IRVING *PF*
SUBJECT: THURGOOD MARSHALL

DATE: December 15, 1950

b7c

PURPOSE:

Attached for your approval is a blind memorandum for G-2, Department of the Army, concerning Thurgood Marshall, Special Counsel of the National Association for the Advancement of Colored People (NAACP).

BACKGROUND:

Reference is made to my memorandum to you dated December 11, 1950, concerning the application of Thurgood Marshall for a passport to go to Japan. *b7c*
G-2, has now advised that the name-check request on Marshall has been received and forwarded to the Bureau. He also confidentially advised Liaison Section, that the Army would probably refuse Marshall permission to go to Japan.

If you approve, the attached blind memorandum will be furnished to G-2. It reflects that Marshall was a member of the National Lawyers Guild and the International Judicial Commission, both of which have been cited as Communist fronts by the House Committee on Un-American Activities, and also information from public source that Marshall appeared on the same speakers' platform with the Ohio State Chairman of the Communist Party among others. There is also set forth the more pertinent information favorable to Marshall. Other information to the effect that, in connection with his NAACP activities, Marshall has supported or dealt with individuals described as fellow travelers, etc., is not included since the pertinency of such information may be debatable. Informant *b7c*
has advised that Marshall was a fellow traveler and possibly a Communist Party member; this is not included since it is not otherwise corroborated in the Bureau's files and appears to be merely the opinion of this informant unsupported by any evidence.

RECOMMENDATION: RECORDED - 40

DEC 16 1950

If you approve, the attached memorandum should be returned to the Liaison Section for transmittal to G-2. No investigation has been conducted by the FBI concerning Marshall's attachment.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/26/95 BY SP-9
#364983

ENC 40

EX-118

5 - UC

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b7c

reelated copy of yellow
sent State 11-18-54
R R. 11-3-54

December 15, 1950

THURGOOD MARSHALL - Summary b7C

No investigation has been conducted by the FBI concerning Thurgood Marshall, but the files of this Bureau reflect the following information concerning him:

The National Association for the Advancement of Colored People (NAACP), for which Thurgood Marshall has for some time been Special Counsel, had a conference in Florence, South Carolina on June 13 and 14, 1943, at which Thurgood Marshall was the principal speaker.

[redacted] Florence, South Carolina, commented that he had met Marshall and believed him to be a loyal American who would go as far as he could to further the aims of his organization, but would not permit anything radical to be done to accomplish the desired end. b7C

(61-3176-241, page 8)

The Florence, South Carolina, morning newspaper on June 18, 1943, quoted Marshall as stating that the recent race riots in Detroit were attributable to subversive groups. He discussed Army treatment of negroes and praised the way in which the Army and the entire Federal Government treated negro people. He stated that this was not true of very many local agencies. Marshall added that the colored people had more to lose should the Axis nations be victorious than did the white people. In general terms, he condemned subversive organizations of all kinds and warned the Negroes against them. He said that they should be ever alert to advance the cause of the colored people, but that they should be Americans first and strive for their own betterment secondly. He added that Communists were not as active

ORIGINAL TO G-2

RECORDED - 40

INDEXED - 40

ENCLOSURE

EX-111

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/27/85 BY SP4

3699c-3

①

Tolson _____
Ladd _____
Clegg _____
Glavin _____
Nichols _____
Tracy _____
Harbo _____
Belmont _____
Mohr _____
Tele. Room _____
Nease _____
Gandy _____

b7C

5

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among the colored people then as they had been fifteen years previously for the colored people had found Communism did not give them what they expected to get. It was also reliably reported that at about the same time Marshall had commented that it was not the policy of the NAACP to be belligerent in any way, but he also indicated that the organization would sponsor a group which would be belligerent if the NAACP believed in the aims of such organization. (61-3176-146)

① → The House Committee on Un-American Activities on pages 793 and 809 of its 1944 report, Appendix, - Part IV listed Thurgood Marshall as a National Committeeman of the International Juridical Association. (61-7582-1298, page 793)

② ✓ The International Juridical Association has been cited by the House Committee on Un-American Activities as a Communist front in its 1944 report, page 149.

④ The "Cleveland Press," daily newspaper of Cleveland, Ohio, on March 13, 1946, reported that the Cleveland Branch of the NAACP and a Citizens' Committee were sponsoring a protest mass meeting against the "ugly race situation" in Columbia, Tennessee, on March 15, 1946. Among the several speakers were Thurgood Marshall and Arnold Johnson, Ohio State Chairman of the Communist Party. (100-135-11-319, page 5)

The "Daily Worker," an East Coast Communist newspaper, on July 1, 1946, indicated that Marshall received the "Spingarn Medal," the NAACP highest award, for his work in defense of negroes at the Thirty-seventh Conference of the organization in Cincinnati, Ohio.

On April 10, 1947, [REDACTED] University of Texas, advised that he had been trying b7c

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in the world!

Stopette the lotion spray deodorant. One
gentle as a breeze, pool, cheeks color and
moisture all day long, even in the hottest
weather. So gentle you can use it every day...
so effective you never need worry...
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Cream for best protection from sunburn and
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Stopette

THE LOTION SPRAY DEODORANT

ALL TRADE NAMES ARE OF THEIR RESPECTIVE OWNERS • CANADA

JULES MONTENIER, INC., CHICAGO



NOT-50 SECRET PASSION of Marshall's for electric trains put him on for Christmas. Marshall (left) operates train set.

THURGOOD MARSHALL continued

"It can't be because of slavery in the past. It's because very few groups in this country that haven't had a place back in the history of their groups. It can't be that there are Negroes as white as the drifted snow, and they are just as segregated as the colored men."

"The only thing it can be is an inherent determination of the people who were formerly in slavery, regardless of else, shall be kept as near that stage as is possible at the time, we submit, that this court should make. That is not what our Constitution stands for."

The Supreme Court did indeed make it clear in its May 17, 1954, that school segregation was contrary to the Constitution. This was the key victory, but the rest still remained to be implemented with an opinion on how this should be accomplished. This was the opinion delivered.

When he wins a case, Marshall normally blows off steam of steam. He once celebrated an important event by dining on the tables of a San Francisco restaurant. On another occasion he was so exuberant after a favorable Supreme Court decision he gave his office staff explicit instructions that no phone calls were to come in for him without going through each one of his secretaries, whom he thereupon appointed. As a result, Frank Murphy was unable to get through the phalanx of secretaries to tender his congratulations. He had to write him a day. And yet, when he won his greatest victory of all, the segregation case last year, Marshall was strangely quiet. "I had a big celebration party in his office, but somehow it never got around," he guesses. The news was just too big for us to handle," says his secretary, Alice Stevens. Marshall walked around dazed. At one point he was heard to say, "You fools, you! You have your fun. But we ain't begun to work yet."

Crab soup and chocolate cake

IN the last year Marshall has been as busy as ever. A lawyer who spends at least three-fourths of his time in the racks up more than 70,000 miles a year, he has paid from hard work and took of sleep three times in the past 10 years. A friend has called him "a trampoline about to explode." "It is something," Marshall said one day on his way out of an office. "You never know when you're going to meet yourself around the corner." So, he has left over energy. On long trips when his staff is tired of him they have learned to in the diner where he will be regaling the waiters with food (he once had a dinner party as a dining car waiter). Marshall always had a not-so-secret passion for trains and a few years ago some friends of his gave him a fine toy train set for Christmas. Outfitted in a striped engineer's cap, he happily ran the train around the track for neighborhood kids.

An accomplished cook, he specializes in crab soup. Also, found so often, he once broke into tears when his wife told him his homemade chocolate cake was as good as she could

After the Supreme Court hearings last April, Marshall found himself in a state of suspended animation, with no plans to do more than Marshall himself kept going to work. His was the only job he had been offered since last February. The Marshall Papers have been lying in

Office Memo

um • UNITED STATES GOVERNMENT

Mr. A. Rosen

b7C
November 4, 1955

From : Mr. F. L. Price

Time of Call:
3:54 P.M.

SUBJECT: THURGOOD MARSHALL
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE

This is to advise you that on instant date Mr. A. Caldwell, Chief, Civil Rights Section, Criminal Division, Department of Justice, advised Special Agent [redacted] of the Civil Right Unit that he, Caldwell, had received a telephone call from Marshall to the effect that Marshall was flying to Jackson, Mississippi, on November 5, 1955, where he was to address a meeting of the National Association For The Advancement of Colored People there. Mr. Caldwell stated that Mr. Marshall had said that this information was being furnished to the Department of Justice for its information.

Mr. Caldwell was advised that this Bureau could not furnish Mr. Marshall any protection. Mr. Caldwell stated he realized that and he was asking for no action on the part of this Bureau but was merely passing this information along.

ACTION:

This information was made available to Mr. Wick in Mr. Nichols' office and to [redacted] of the Domestic Intelligence Division.

No further action is believed to be necessary inasmuch as the field is under specific instructions to bring to the attention of this Bureau promptly any information concerning racial incidents.

cc: 1 - Mr. Nichols
1 - Mr. Belmont

RECORDED-38

EX-107

6. NOV 15 1955

62-86660-9

49

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson ✓

DATE 2-8-56

FROM : L. B. Nichols

SUBJECT:

In connection with the visit of Thurgood Marshall to the Bureau shortly after his arrival in Washington at 12:30 p. m., Thursday noon, there is attached a summary concerning communist infiltration of the NAACP prepared by the Domestic Intelligence Division.

Depending upon how the conference develops, if Marshall is seeking information he will be referred to public source material, which indicates an honest desire to take steps to combat the communists, we can tell him about the National Negro Commission set up under [redacted] and point out to him that he might start making inquiries as to what people have been contacted by [redacted] that he might make an effort to find out if [redacted] has been holding secret conferences with any of the leaders and that he should carefully study the demands of the "Daily Worker" and deliberately try to present resolutions which would differ from the others to observe where the opposition will come from.

Enclosure

cc - Mr. Belmont

LEN:
(3)

I think OK if we stick to public source material — We must not in

Attached memo to Mr. Tolson 2-9-56

219

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6/3/82 BY

RECORDED-20

EX-107

FEB 13 1956

62-86160-10

12 FEB 10 1956

CR

GOP Bars Negro from State Regents Board

By MICHAEL SINGER

ALBANY, Feb. 7.—Republican majorities in both Houses of the Legislature today rejected Democratic bids to name a Negro for the first time in state history to the Board of Regents. By straight-party votes in Assembly and Senate the GOP defeated the minority nomination of Thurgood Marshall, NAACP counsel, as regent-at-large.

Assemblyman Kenneth Phipps and Sen. L. Watson, Negro Democrats from Manhattan, appealed to Republicans in the "name of real non-partisan Americanism" to approve Marshall.

Republicans, who had been boasting of how "well known" their nominees are, were told by Phipps that Marshall is "more known" than any of them, that the Negro attorney is "known for his knowledge of the problems of education" and "universally respected and admired for his unflinching battles in behalf of the people."

Citing headlines in today's press that told of Alabama University students stoning a Negro co-ed, Phipps pleaded: "Now is your opportunity to show how much we mean it."

"Leave partisanship aside, vote with your head, your sense of responsibility," he urged.

But his appeal, like Watson's in the Senate, went unheeded. Republicans sat in silence as the roll call beat back the first Negro name ever to be proposed for the State's highest board of learning.

The Legislature elected John F. Brown, Manhattan Democrat, to succeed himself, and the new members to fill vacancies.

NOT RECORDED
126 FEB 15 1956

Wash.

Time

Wash.

Wash.

N. Y. H.

Trib

N. Y. M.

N. Y. I.

Daily W.

The Wa

New L.

Date

347
71 FEB 15 1956

62-86650

497

112/362
Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Rosen

DATE: 2/9/56

FROM : Mr. Price *JP*

b7C

SUBJECT: THURGOOD MARSHALL
INFORMATION CONCERNING

Dept. of Justice

This is to record that on the afternoon of 2/9/56 Supervisor [redacted] of the Civil Rights Unit went to the Pal Restaurant for lunch. Upon entering the restaurant he was observed by Mr. A. B. Caldwell, Chief of the Civil Rights Section, Criminal Division, who called for [redacted] to join him which he did. After they had been eating for some time Caldwell observed Mr. Thurgood Marshall of the National Association for the Advancement of Colored People who had entered the restaurant. Caldwell, being acquainted with Marshall, invited him to the table and Marshall accepted the invitation. Marshall partook of a cup of coffee while [redacted] and Caldwell finished their meals. Caldwell introduced [redacted] as being with the FBI and in charge of the Civil Rights Unit.

During the course of the conversation Mr. Marshall advised Caldwell that a conference would be held in Washington on the 4th and 5th of March by the National Association for the Advancement of Colored People. He stated that a resolution would probably be proposed which would be critical to the Department of Justice. Marshall indicated that he suspected [redacted] (probably [redacted]) would be at the conference. He stated he did not know what outfit [redacted] would represent but that he, [redacted], probably would be able to find some branch of the National Association for the Advancement of Colored People to list him as a delegate. He stated that [redacted] is very outspoken and would undoubtedly bring up some resolution criticizing the Department of Justice. Caldwell advised Marshall that he believed there would be some action by the Department prior to March 4, 1956. In his remarks, Mr. Marshall indicated that he was not sympathetic to [redacted]

(5)

cc - 1 - Mr. Nichols

63 FEB 24 1956

RECORDED-107

20 FEB 14 1956

Memorandum to Mr. Rosen

ACTION:

The above is for your information. Caldwell undoubtedly was referring to the fact that the Department plans to make a release regarding the filing of a criminal information in the Bolivar County (Mound Bayou) vote case in which a criminal information will be filed against 11 members of the County Democratic Executive Committee for alleged discrimination against Negro voters.

clm

Ester
Raw
Ad
gms

✓

✓

W. J. J.

b7C

0-

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. TOLSON *Viper*

DATE Feb. 8, 1956

FROM : L. B. NICHOLS *LBN*

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 6/3/82 BY SP-8
#90,589

SUBJECT:

By reference from the Director's office, I talked to Thurgood Marshall, the National Association for the Advancement of Colored People. He stated that there were several matters which are worrying him and he would like very much to come down on Thursday or Friday to discuss them with the Director and me.

I told him that the Director had been tied up on several high level matters including appropriations and has been pretty much unavailable but I knew that Thursday and Friday were going to be particularly difficult days for him, that I would nevertheless check with the Director, that I would be glad to see him on either Thursday or Friday at his convenience. He stated he would come on down tomorrow, would arrive in Washington at 11 and would come directly to the Bureau. I told him this would be agreeable.

He then stated ^{TR. M.} that while he has been concerned about the Alabama situation and about ~~the~~ the matter which is worrying him more than anything else right at the moment is the Communist Party's effort to get the NAACP and to forge out to the forefront. I told him he really had a serious situation here, that I knew he was well aware of the dangers and would do to keep his guard up. He stated this was exactly why he wanted to come and see us.

I told him if the Director were here, I knew that he would be glad to say hello to him.

It is suggested that I see Marshall and then if the situation develops where it would be desirable for the Director to say hello to him, I can then make inquiry as to the Director's availability.

I have asked Mr. Belmont to get up a quick summary on Communist activities in connection with the infiltration of the NAACP.

LBN

(5)

CC - Mr. Holloman
Mr. Boardman
Mr. Belmont

INDEXED - 8

EX - 124

OK

K

51 FEB 24 1956

b7C

Office Memorandum • UNITED STATES GOVERNMENT

TO : A. H. Belmont

DATE: February

FROM : F. J. Baumgardner

cc - Mr. Nichols
Mr. Belmont

SUBJECT: COMMUNIST INFILTRATION OF THE
NATIONAL ASSOCIATION FOR THE ADVANCEMENT
OF COLORED PEOPLE (NAACP)

This memorandum concerning the NAACP is being prepared at the request of Mr. Nichols who has an appointment with Thurgood Marshall, special counsel of the NAACP on February 9, 1956. b7C

Thurgood Marshall - Summary

A summary memorandum regarding Marshall was prepared December 15, 1950. Marshall has been special counsel of the NAACP since at least 1946. Marshall, according to House Committee on Un-American Activities (HCUA) and public source records, was associated with Communist front organizations in the 1940's, National Lawyers Guild and International Juridical Association. Both organizations have been cited as Communist fronts by the Attorney General although neither has been cited by the Attorney General pursuant to Executive Order 10450.

The HCUA in a 1944 report listed Marshall as a national committeeman of the International Juridical Association. The NAACP in a report dated September 17, 1950, listed Marshall as Executive Board member of the National Lawyers Guild as of December 1946 (62-86660).

Background of NAACP

The NAACP was incorporated in the State of New York and the stated aim of the organization has been to secure full citizenship rights for the Negroes by legal and other recognized ethical methods and frequently by vigorous protestation of discrimination.

The current paid membership of the NAACP on a national basis is slightly over 250,000. There is a delinquent membership of approximately the same figure which is not included in the membership rolls because of arrears in fees and dues. b7C

There are approximately 1,200 branches throughout the United States and Alaska. There are in addition approximately 250 high school and college chapters. (6-3176-1161 Pretext call to Membership Committee, NAACP, 11-23-55.)

FEB 27 1956

INDEXED - 8

NOT RECORDED

46 FEB 24 1956

Memorandum for Mr. Belmont

Position of NAACP Re Communism

The NAACP at its Forty-first National Convention held Boston, June, 1950, went on record as opposing Communism and empowered its Board of Directors to revoke the charter of any chapter found to be Communist controlled. (61-3176597)

At the Forty-sixth Annual Convention of the NAACP held Atlantic City, New Jersey, in June, 1955, the NAACP reaffirmed its rejection of Communism as an antidemocratic way of life and form of Government. (61-31761161)

Communist Party Penetration Into NAACP

There is listed below a number of examples of the role of the Communist Party in attempting to infiltrate and influence NAACP as extracted from the official line of the Communist Party appearing in "Political Affairs," the monthly theoretical organ of the Communist Party. On page 42 of the December, 1955, edition of "Political Affairs," an article appeared in regard to the [redacted] b7c

This article referred to the arrogant attacks now being against the NAACP throughout the South. The article stated, "S reaction is in deadly earnest. Therefore, nothing short of the resolute fight to defend and safeguard the NAACP will be sufficient to stay the hand of reaction on this front."

In the same article it is stated, "The first task of the CP in respect to the Till movement is to exert our maximum influence in furthering the fighting unity of the Negro people. But in order to play a leading role in this connection, Marxists and Left forces must be in this movement, a part of the mass organizations that are leading it and strengthen their ties with it in all possible ways." b7c

This article was written by [redacted] a member of the Steering Committee of the National Negro Commission of the Communist Party.

The January, 1956, issue of "Political Affairs," on page 1, contains a statement that, "It is time, Comrades, that we... the heroic leadership which the NAACP is giving to this far-flung struggle in the heart-land of Dixiecrat racism. The NAACP in the South is leading a struggle against an implacable and ruthless enemy which is in rebellion against the Constitution and which does not hesitate to kidnap, lynch, cripple and assassinate. We must support the NAACP in the struggle with every ounce of energy at our disposal."

Memorandum for Mr. Belmont

This statement appeared in an article written by Max Wei is presently a member of the National Leadership of the Party, USA.

In regard to Negro workers in the labor movement statement also appears on page 58 of this issue of "Political Affairs" that the influence of the NAACP can be brought bear on the problems facing the trade-union movement. is pointed out that the significance of the programs adopted by the NAACP have been the subject of close scrutiny by Communist Party. This is established by the analysis of the NAACP Convention of June, 1953, which was analyzed in the November, 1953, issue of "Political Affairs."

In this article it was stated that "the NAACP is increasingly becoming a co-ordinating center for all major organizations among the Negro people" Also, "... the National Association for the Advancement of Colored People remains the most important Negro organization dedicated to the fight for Negro equality."

In view of the concentrated effort by the Communist Party to infiltrate the NAACP, the Bureau, since February, 1954, has been investigating the Communist infiltration into this organization.

Our investigation has shown that the Communist Party, while having some success in infiltrating local branches of the organization, has been unable to control or dominate the NAACP on a national or state level.

Memorandum to Mr. Belmont

Listed below are some specific examples of taken by CP leaders and/or members to infiltrate or state and local branches of the NAACP.

These examples do not constitute the total made by the CP into the NAACP (to obtain same would a lengthy file review) but merely serve to portray the that the CP has placed on a successful infiltration NAACP. b2, b7

[redacted] a top level informant of the Ch. Office, advised [redacted] that during the National Conference held in New York City 12/3 through 5/55 and by CP delegations from 32 states a commission was established to discuss preparations for what the CP terms the "March on Washington."

The "March on Washington" actually refers to a leadership conference on civil rights which will be held in Washington on March 4 through 6, 1956, under the sponsorship of the NAACP and a number of supporting organizations. b2, b7

[redacted] advised that [redacted] of the National Negro Commission of the CP, USA, delivered the main report at the meeting of the commission. [redacted] said that the CP must sustain the main demands of the supporters of the "March on Washington" and the CP must mobilize its forces up to and during the time set for "March on Washington."

National functionaries of the CP will make a series of trips into various CP districts to check on the march and every district board commission and department of the CP must place this mobilization on its agenda.

The CP will attempt to find out which organizations are assisting the NAACP and the United Automobile, A. and Agricultural Implement Workers of America, a particular group in the "March on Washington" and influence these organizations to send their own delegates on a local basis. All trade-unions, the NAACP, other mass Negro organizations and some larger white groups will be considered as objects of concentration by the CP.

7
- 1 -
The House Committee on Un-American Activities
in its report dated September 17, 1950, listed
Thurgood Marshall as Executive Board member of the
National Lawyers Guild as of December, 1949.
(100-7321-516, page 18)

The foregoing information is furnished as the
result of a request for an FBI file check only and is not
to be considered as a clearance or nonclearance of the
individual involved. It is for your confidential use
only and is not to be disseminated outside of your
agency.

to organize an NAACP Chapter at the University of Texas and that certain individuals who followed the Communist Party line were trying to get control of it. [REDACTED] contacted Thurgood Marshall who said that if any office of an NAACP Chapter were held by a Communist, the charter of that Chapter would be withdrawn. (100-9-40-118) b7c

✓ The "Washington Evening Star," daily newspaper, Washington, D.C., on February 18, 1948, printed an article entitled, "Loyalty Program Hit By Roggs As Measure For 'Thought Control.'" This article reflected that a public forum had been held on February 11, 1948, under the auspices of the National Lawyers Guild in the National Press Building auditorium. Thurgood Marshall, Special Counsel of the National Association for the Advancement of Colored People, was one of the speakers. He was quoted as saying the "whole principle behind the Loyalty Order is bad and it should be attacked from that point." (62-82273-A, "Washington Star," 2/12/48)

- Direct. C
Coul. 5/2/48 ✓
D → The National Lawyers Guild has been cited as a Communist front by the House Committee on Un-American Activities in its 1944 report, page 149.

D → The Senate Judiciary Committee held public hearings on August 9, 10 and 11, 1949, on the nomination of Tom Clark to the Supreme Court. The Chairman of the Committee introduced into the record the following letter addressed to Robert J. Silberstein, Executive Secretary of the National Lawyers Guild, dated August 2, 1949:

"Dear Bob:

"I have received your memorandum of July 29, 1949, concerning the appointment of Tom Clark to the United States Supreme Court.

"I am opposed to an intensive Guild campaign to the rejection of the nomination of Tom Clark. On July 29, I sent the following telegram to Attorney General Clark: 'Our sincerest congratulations, etc.'

/s/ Thurgood Marshall
General Counsel for the
NAACP"

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. TOLSON *Wm*

DATE: September 12, 1951

FROM : L. B. NICHOLS

b7c

National Institute of Municipal Law Officers, Washington, D. C., called [redacted] and advised that he had received an inquiry from [redacted] Corporation Counsel of the City of Kansas City, who had asked that inquiry be made to ascertain whether or not the FBI might have information regarding Thurgood Marshall, an attorney for a group of Negroes in Kansas City who are bringing a suit concerning racial discrimination in Kansas City.

[redacted] stated that [redacted] had indicated that Marshall was a member of the National Association for the Advancement of Colored People and the International Juridical Association and that [redacted] seemed to think that Marshall who is representing the Negroes' case might have some ulterior motives in bringing the suit. [redacted] advised that the National Institute of Municipal Law Officers was a service organization for various city attorneys and corporation counsels for cities throughout the country.

[redacted] advised [redacted] of the Bureau's policy concerning the confidential nature of its files and [redacted] agreed that our policy was correct. He stated he thoroughly understood we cannot be of assistance to him in this matter and he would not presume that we did or did not have information in our files concerning Thurgood Marshall.

CC - [redacted]

b7c
G.I.R. 3*Very properly handled.*

SEP 14 1951
2 DEPT. OF JUSTICE
RECEIVED DIRECTOR

RECORDED - 60

INDEXED - 60

EX-130

SEP 18 1951


52 SEP 21 1951

FEDERAL BUREAU OF INVESTIGATION

Room 5744

, 1951

Extension 

To: Director
Mr. Tolson
Mr. Ladd
Mr. Clegg
Mr. Glavin
Mr. Harbo
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Belmont
Mr. Laughlin
Mr. N. P. Callahan
Mr. H. L. Edwards
Mr. Gearty
Mr. M. A. Jones
Mr. Nease
Miss Gandy
Reading Room
Personnel Records Section
Records Section


Mr. Tolson	_____
Mr. Ladd	_____
Mr. Clegg	_____
Mr. Glavin	_____
Mr. Nichols	_____
Mr. Rosen	_____
Mr. Tracy	_____
Mr. Harbo	_____
Mr. Alden	_____
Mr. Belmont	_____
Mr. Laughlin	_____
Mr. Mohr	_____
Mr. Nease	_____
Miss Gandy	_____

See Me For Appropriate Action
 Send File Note and Return

J. P. Mohr

b7C

80-4

OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Date Oct. 17, 19 51 Time 3:31 PM

Mr. Thurgood Marshall tele

thru

(Associated with National Assoc. Mr. Jones
for the Advancement of Colored People.)

Phone No [REDACTED]

Mr. Tolson ✓
Mr. Ladd ✓
Mr. Nichols ✓
Mr. Belmont ✓
Mr. Clegg ✓
Mr. Glavin ✓
Mr. Harbo ✓
Mr. Rosen ✓
Mr. Tracy ✓
Mr. Laughlin ✓
Mr. Jones ✓
Mohr ✓
Tele. Room ✓
Mr. Nease ✓
Miss Holmes ✓
Miss Gandy ✓

REMARKS

When advised of the Director's absence
Mr. Marshall declined to speak to an Assistant
and requested that the Director return the call.

Mr. Nichols has been advised and indicated that
he would return the call to Mr. Marshall if the
Director wanted him to do so.

2 yrs. ago
H. J. [unclear]

b7C

RECORDED - 129

EX - 15

62-166-271
h2

100-122

INDEXED-41
RECORDED-41

7-7466-8

E 113

July 1, 1955

b7c

[REDACTED]

Parade Publication, Inc.
405 Lexington Avenue
New York 17, New York

Dear [REDACTED]

Your kind note of June 24, 1955, with enclosure, has been received, and I appreciate your thoughtfulness in calling to my attention the statement which appeared in the June 13 issue of "Life," indicating that Thurgood Marshall called the FBI in Washington but found the office closed. You were certainly correct in believing that this was in error, for FBI Headquarters is open twenty-four hours a day.

With kindest regards,

Sincerely yours,

J. Edgar Hoover

RECEIVED
FBI
JUL 1 5 31 PM '55
U.S. DEPT. OF JUSTICE

COMM - FBI
JUL 1 1955
MAILED 26

NOTE: Correspondent's enclosure was taken from the June 13, 1955, issue of "Life" magazine which contained an article entitled "Chief Counsel for Equality," concerns Thurgood Marshall, a Negro attorney. The only mention of the FBI appeared on page 150.

JUL 2 6 18 AM '55

Tolson _____
Boardman _____
Nichols _____
Belmont _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
Trotter _____
Tele. Rm. _____
Holloman _____

[REDACTED]

RECEIVED
JUL 1 1955
U.S. DEPT. OF JUSTICE

[REDACTED]

[REDACTED]

[REDACTED]

b7c

5110

THURGOOD MARSHALL CONTINUED

His New York staff never knows when Marshall is likely to start a fierce argument or pass something off with a joke. His boundless little-boy joviality amazes many of his friends even though they realize that without it he might have broken under the severe pressure of the last decade. In his office he occasionally takes over the switchboard while the operator is at lunch and takes great delight when callers are surprised at being able to reach him so suddenly. He loves to tease his secretaries. There is almost no cowboy picture extant which he has not seen and he has often left his chief secretary, Alice Stovall, standing in the middle of a railroad station while he has gone off to take in another Western. Last fall, when his Harlem neighbor, Ballplayer Willie Mays, won the National League batting championship, Marshall gave Willie an orange juice and milk "cocktail" party in the corner drugstore.

Able to relax with absolutely everyone, janitor or Supreme Court Justice, Marshall makes himself popular wherever he goes. "I've been all over the country with Thurgood," remarks Professor James Nabrit of Howard, "and I've never known any situation where after two or three days he was not liked by the very people he was opposing. I believe it is almost his most important contribution because everywhere he has gone he has made friends for us."

Marshall's winning personality never changes, but his accent does. His associate lawyers are always amused at how his way of talking loudly and boisterously and as much like a caricature of a Negro as possible becomes more and more pronounced the farther he goes below the Mason-Dixon Line. Before the Supreme Court he has no trace of a "Negro accent," but in his office and among friends he deliberately adopts the most vigorous, crudest jargon as a kind of reassertion of his own racial identity. Deliberately hiding his great respect for the Supreme Court, he has commented after successful appearances before the justices, "I ain't no fool when it comes to those boys."

Marshall's work takes him away from the safety and solemnity of the courtroom. Sometimes it brings him face to face with danger. In 1946 he went to Columbia, Tenn. to defend two Negroes accused of attempted murder during a riot. The atmosphere that Marshall encountered was so tense that he had to travel 40 miles each day from Nashville to Columbia.

The evening of the riot, Marshall was driving to Columbia when he was stopped by two officers. They demanded, pistols bristling, to see his license and was released. A few minutes later they again stopped him. This time they charged that he was drunk and carrying liquor in the car. He assured them he had not had a drop, and a search of the car produced nothing, and so again he was allowed to proceed. A few minutes later he was stopped for a third time. Accusing Marshall of drunken driving, the officers ordered him to get out of the car and cross the street to the magistrate's office. Knowing that colored people often get shot "resisting arrest" in such cases, he refused to go except under police escort. This was ultimately agreed to and the entire throng entered the magistrate's office. "The magistrate was a short man," remembers Marshall, "and I put my hands on his shoulders and rocked back and forth, breathing just as hard as I could into that man's face." This was enough to convince the magistrate of Marshall's sobriety. "I really hadn't had anything to drink, but after leaving there we drove to Nashville and then, boy, I really wanted a drink."

A lynching averted

MARSHALL occasionally pulls other Negroes out of danger with the same quick thinking. One night while playing pinochle with some friends in New York, he received a long-distance phone call from a friend somewhere in the South advising Marshall that a lynching was about to get under way. Hastily Marshall put a call in to the FBI in Washington. But the office had closed. He tried the next best thing; he put in a person-to-person call to an important lawyer-politician of the state where the trouble was—a man with a strong anti-Negro bias. Marshall pointed out that with an election coming up, the politician could ill afford the notoriety of a lynching. The state police were called out and the lynching was narrowly averted.

After the Supreme Court hearings last April, Marshall's staff had been in a state of suspended animation, waiting for the implementing decision. Marshall himself kept going, but with a difference. His wife, to whom he had been married 26 years, died last February. The Marshalls had been devoted to each other, and

CONTINUED ON PAGE 152

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parade

PARADE PUBLICATION, Inc.
405 LEXINGTON AVENUE
NEW YORK 17, N.Y.

Mr. Tolson
Mr. Boardman
Mr. Nichols
Mr. Belmont
Mr. Harbo
Mr. Mohr
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Sizoo
Mr. Winter
Tele. Room
Mr. Holloman
Miss Gandy

June 24, 1955

Hi:

Reading the attached reminded me of the very long
and pleasant association we had with your work when
I was [redacted] of American Magazine and [redacted]
[redacted] was doing the writing.

Maybe Marshall was right but I understand the FBI
in Washington was never closed.

Sincerely,

ENCL,

41 Mr. J. Edgar Hoover
Federal Bureau of Investigation
Washington, D. C.

RECORDED

2 JUL 6 1955

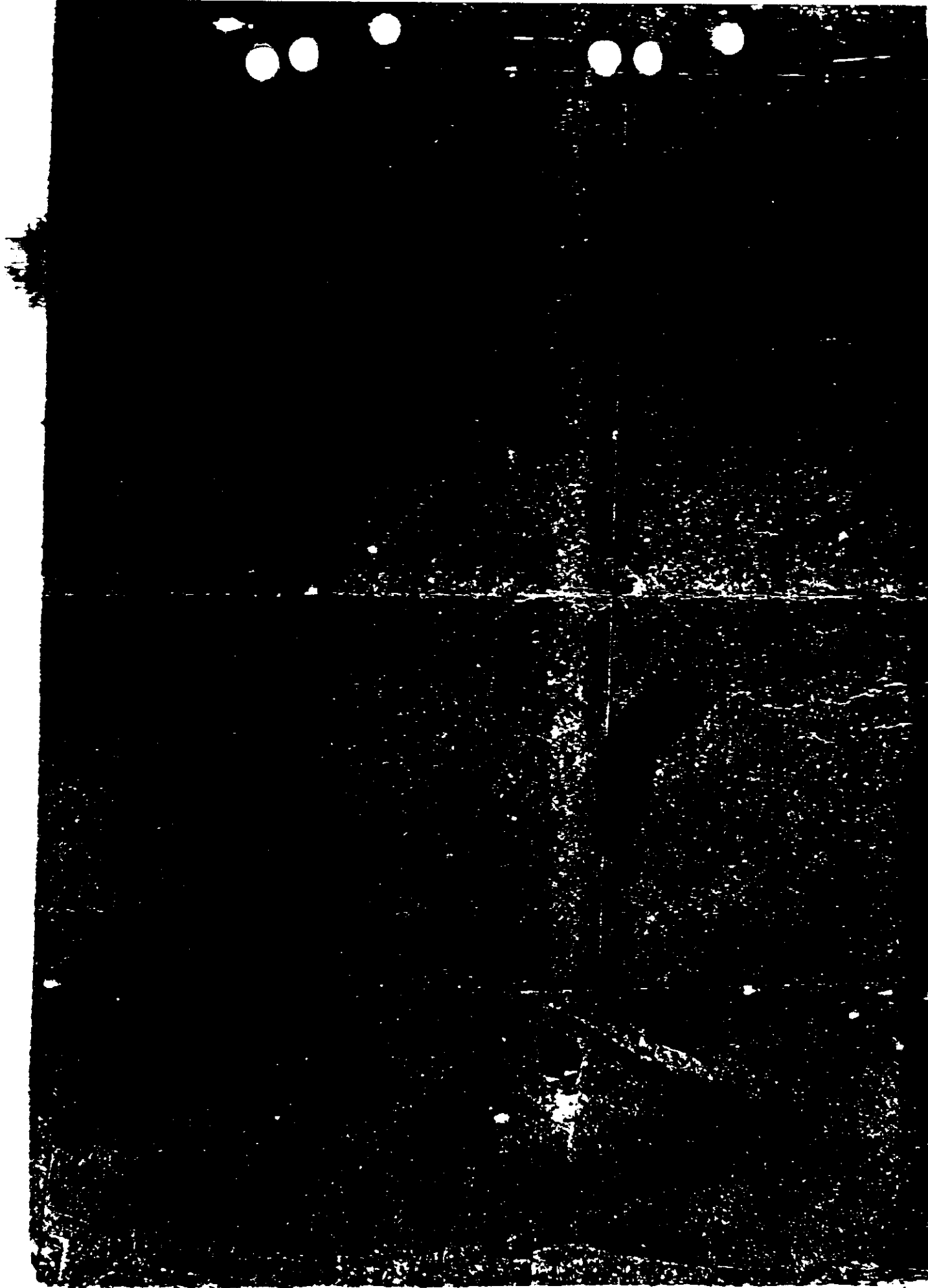
EXP. PROC.

JUN 27 1955

b7C

-8

5/2



1. *Journal of the American Medical Association*, 1997; 278: 1039-1044.

For Conscience & Reputation. The name indelibly stamped on this victory is that of Thurgood Marshall, 41, counsel for the National Association for the Advancement of Colored People. He is at his sincerest and loudest (and that is very sincere and quite loud) in declaring that he is only one of the millions, white and Negro, whose courage, sweat, skill, imagination and common sense made the victory possible. Like all great victories, the school desegregation decision opened up terrifying vistas of future obstacles and perils for all Americans. Most centrally and immediately, Marshall must deal with the future course of desegregation and the intertwined issues of the social revolution of which he is a leading figure. He cannot set the course, not even for the N. A. A. C. P. But what he decides to do about a thou-



SEMI-MATHEMATICS IN SAN ANTONIO
TODAY AND TOMORROW

Technical skill is not all a U.S. constitutional lawyer needs. The job is to apply the Constitution to life, which will not sit still. For example, in the mid-20th century it became a fact of life that millions of

The Big Stretch Marched all the way from an unbroken single horror to the Liberty Bells and the well-yoked reform of the mind of Mr. Justice Brandeis. He must stretch from the most frequent to a recognition of the opposition to Negro rights as honestly felt as his own. Some of my best friends say—but they're honest. Don't stretch all the way from the old and for nothing less than the racial issue, you can't be wrong any more than you can be pregnant or a little bit of practical lawyer's acceptance of

Robert Flores and Hazel W. Flores, students in San Antonio's George Nelson elementary school.

[illegible]

Francis D Gennart

do if you'll get out of the town and county and state. I'll give you your freedom." Well, my great-grandfather never said a word, just looked at him. And he walked off the place, settled down a couple miles away, raised his family and lived there till the day he died. And nobody ever laid a hand on him."

This most un-African parable of independence is succeeded in Marshall's repertory of family stories by his paternal grandfather, "a rough and tough sailor-man. He never knew what his first name was—so he took two—Thorn and Good and Thornygood. He drew two sharp portions till the day he died—one in each name. I was named Thoroughgood after him, but by the time I was in the second grade, I got tired of spelling all that and shortened it."

“I don't know,” said the young man, “but I don't think I have ever seen a man like you before. You are a stranger in this town, aren't you?”

The ship on the
shared by Thurgood
during car work on
steward of Bahama
Gibson Island club
die with jellyfish fire
skinned and blue eye
good and his brother A
call you nigger, you
mission to fight him
to fight him." Once
orders. Delivery boy
was trying to board
stack of hats so high
over or around them
aboard when a white
backwards. "Nigguh"
push in front of row
I hadn't seen any wh
into him. The hats sc
street, and we both

Screwed Down. Thurgood was always saying that he "screwed down" the streets rather than the people. Thurgood says it too is no fanatic, and he has a complex. He tells two stories.

When his father got a dining car job on the B. & O. good Marshall complained that his white was too short. "Boy," said Thurgood, "I can get a man to fit the pants better than we can get pants to fit the man. Don't you just kinda screw 'em a little more?" Says Thurgood, "Screwed down."

The other story happens when Lawyer Marshall was in Mississippi town, waiting Shreveport, La.

"I was out there on the
ing to look small, when
man with a gun on his
'Nigguh,' he said. 'I thought
to know the sun ain't never
nigguh in this town.' So
constitutional rights in Cell
'em in my hip pocket at
sight. And, believe me, I
train out of there.

Whence this caution, this restraint? Thurgood's mother, Arica, has been for 28 years a more schoolteacher and nurse

There are two types of cherry: sweet and sour. Cherry is one of the most popular fruits in the United States. It is a member of the rose family. The sweet cherry is the most common. It is used for eating and for making pies and jams. The sour cherry is used for making pies and jams. There are many varieties of cherry. Some are red, some are yellow, and some are black. The most common variety is the sweet cherry. It is used for eating and for making pies and jams. The sour cherry is used for making pies and jams. There are many varieties of cherry. Some are red, some are yellow, and some are black. The most common variety is the sweet cherry. It is used for eating and for making pies and jams. The sour cherry is used for making pies and jams.

Marshall received his Ph.D. from The University of Maryland and served as a faculty member in the Department of Chemistry at Washington University in St. Louis. He received his undergraduate and graduate education at the University of Pennsylvania. He is the author of 26 papers in the field of organic chemistry and has been a member of the American Chemical Society since 1978.

He also has been asked to work for the NAACP, to counsel a leader his old

has school mentor Charles T. by 1968, admitted it was a double time job. His wife is the a year, almost a year

The NAACP was not a local force in the 1940s. It had a few chapters in the South, but its main strength was in the North. It was a national organization, and it was not until the 1950s that it began to build a strong presence in the South.

Before World War II, he joined Houston-based NAACP. He went to court against a union which had contracts but discriminated against Negroes, against discrimination in the Air Corps, a long step toward desegregation of the armed forces, the Democratic Party and claimed that it was a pro-white and anti-Negro party. Negroes then voting for

The River Pilots. I was in the war, NAACP, but the failure conceded in the separate but equal voting group of the NAACP. I never met in Memphis calls. I like somebody in the while it was true a lot of without ever seeing the people were going to have to change our children weren't going to be in the future. So we decided to get rid of our target.

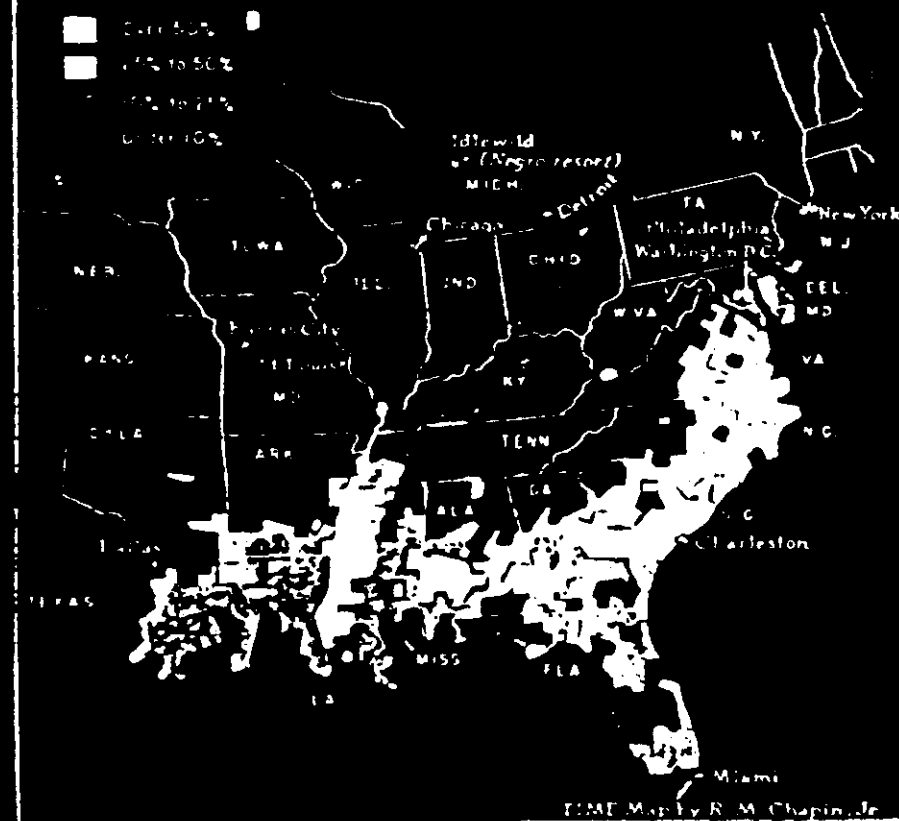
Segregation at all levels was the target of Negro spokesmen. The good Marshall is not just a spokesman; he is a combatant. The problem facing him at the time was how to attack segregation on legal grounds. The weighty decisions ran against them. When they had evidence to turn the tide,

The answer was peculiarly military and peculiarly American: military status, swim and drown—in rivers of expertise. U.S. business firms more specialized organizers of Fort & Co. mobilized a small army of experts: psychiatrists, sociologists, anthropologists to prove what among them believed to be a segregated education could not.

The night before a Supreme Court school-segregation argument, Coe went through an interview at Howard University. The years before had started in a classroom on the lunch and seating question, all trying to get questions that the Supreme Court might ask. A student threw the men into a near dive by asking would get around an old Supreme decision upholding a Louisiana law and nobody could be a Muslim, asked whose father hadn't been. Coe worked far into the night.

PATTERNS OF COLOR

Percent of Negroes to Total Population by Counties - 1950 Census



'I Was So Happy' 1950

The difference between the correlation
of the two sets is small, greater than it would



MENTION IN HISTORY

Generally speaking, segregation is endogenous to where Negro population is less than 10%. When it ranges between 10% and 25%, the fight may not be too hard.

Stratched on the rack of a rusted and most exciting cage U.S. today. (Bangkok Marshall) said: "I'm going take a two day break from my vacation. The Hanoi. Never been there, he said. The ghost of my friend faded over his face; then look came back. "Don't know going to Hanoi," he said slowly, "is when I get there, you know, you'll find there too."

"Me?"



CHIEF COUNSEL FOR NAACP STOPS ON SUPREME COURT BUILDING STEPS BEFORE GOING IN TO HEAR OF HIS LATEST SUCCESS IN DRIVE FOR DESIGRA

CHIEF COUNSEL FOR EQUALITY

Thurgood Marshall, easy mannered but relentless, is the man who led winning fight on segregation

by OLIVER ALLEN

Thurgood Marshall has fought and won more important legal battles for desegregation than any other man in the U.S. As chief counsel for the National Association for the Advancement of Colored People, he has turned defenders of segregation in court room after courtroom, from the hostile territory of the deep South to the middle chamber of the Supreme Court.

Last week in Washington, D.C., Marshall won his latest victory when the Supreme Court, while declining to set the deadline he had asked, ruled that the states "must make a prompt and realizable start" toward desegregation of schools. In one of the four best legal issues of the day, Marshall came out on top as he has in 12 out of his 14 Supreme Court cases.

Under the circumstances it would be reasonable to expect that opposition lawyers, most of them Southerners, would take an unkind view of Thurgood Marshall. But here are "finked" words; they have said about their Negro opponents:

Joseph Greenhall, who faced Marshall in the important *Sweet* segregation case in Texas: "He was an excellent lawyer in the courtroom. He was courteous, he didn't rant or rave, and he asked good questions."

Robert Figg, who fought Marshall in the South Carolina school segregation case: "He is an able lawyer and a skillful advocate. His appeal gain power from his dedication to the cause which he represents."

Edward Whipple, who opposed Marshall in last year's Supreme

Court case: "He was eminently fair. Certainly he is one of the civil liberties lawyers in the country."

At the leading civil rights lawyer of his time is a man full of contradictions. No solemn crusader, he is light, fun, loquacious and glib. Profoundly devoted to a cause, he is easily bored and bored. He is a man who is mainly concerned with doing his best for life.

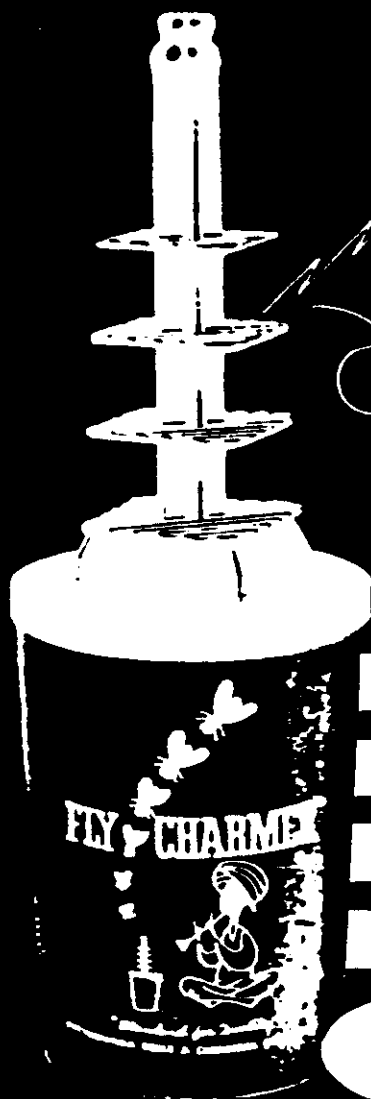
His remarkable man has had a remarkable background and training. He has had 19 years of organized legal experience working for the NAACP. He has had at his command the full resources of a university law school, Harvard University's, whose faculty, graduate and undergraduate students work tirelessly for him but provide with a unique and lively intellectual "mix" before every big case. Marshall has had the cooperation of a special hero and a close ally, a former classmate, Charles Houston.

Though Houston died two years ago, Marshall still lives by his "rule and vision." "Charles Houston taught us all that we should be engineers," Marshall remembers. One of the most gifted political advocates his race has known, Houston in 1929 took the law school at Howard University, a Negro institution in Washington, D.C. His goal was to prepare for a vigorous civil rights drive for the American Negro. To do this he planned to convert Howard School, and then distinctly second rate, into a "West Point Negro leadership" so that Negroes could win their own social

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WITH WIFE BUSTER MARSHALL (left) and daughter THURGOOD MARSHALL (right) in their home in Baltimore.

THURGOOD MARSHALL (CONTINUED)

in fighting segregation in the courts. The day after the late Justice Louis Brandeis had concluded his protest, that one after another involving Negroes, he left for an otherwise sympathetic Supreme Court with a proposition to stop arguing.

Two years later Houston rebuffed Howard and his (most like him) Negro graduates of the law, making the studies doubly difficult. He packed the school to help him in his pioneering N.A.A.C.P. them special training for the struggle ahead. It was one of the carefully chosen disciples who gave guidance and inspiration. These Houston graduates when Marshall came once complaining about it and looking for sympathy. Houston rebuffed him. "No tea for the feeble, no craps for the dead!"

Marshall did not seem then like much of a lawyer more than he does today. He had only had the law for a year or two, and the ambition came partly that he had recently gotten married. His wife was Ann Barry, who had left the University of Pennsylvania to go to a student at Lincoln University and had been christened Thurgood and Marshall and a member of the family who had worked for a family in Maryland and had taken him to the law when he enlisted in the Civil War. Grandson Thurgood had never called him anything else and that is how he grew up and went to segregated schools on Baltimore's middle class Negro residential street.

Born with a disputatious streak

BUT there was a disputatious streak in Thurgood Marshall on Druid Hill Avenue, the Marshall's were for their violent nightly arguments. "The late Thurgood," "I could always tell when my brother got home from college," and passer-by could be reassured that there wasn't any brawl taking place in Marshall's arguing.

During his law school years Marshall got up early and commuted from Baltimore to Washington, working in class, his afternoons and evenings studying in the law library to help pay his tuition. It was when he got to bed. He became an exceptional student. He was a 1930 graduate of Harvard Law who wrote the famous opinion in a brief Marshall wrote for the first time in 1934. "Now and then," said Howard, a fellow student judge in Philadelphia. "I look back on it and I still admire it."

Marshall graduated at the head of his class and law firm in Baltimore in the fall of 1933. Soon he entered into civil rights cases.

Far from becoming a hero to his friends, Thurgood was a fool for taking on civil rights cases, which he usually in the courts. They paid him nothing and he often lost. "I was a fool," he says, "I was a fool that does you no good," he says. Thurgood's law firm from his secretary to pay for lunch.

CONTINUED ON PAGE 147

CONTINUED ON NEXT PAGE

Memorandum for Mr. Belmont

b7Dk

This informant also advised [redacted] that the CP in connection with its exploitation of the Negro question, the [redacted] case, et cetera, as well as its work within the NAACP attempted to expand the original purpose of the conference or "March on Washington" and to give it a new and broader character by bringing into sponsorship or endorsement other "mass organizations" thus generally guiding and expanding the original purposes of the conference. Accordingly it succeeded through CP people in NAACP and other sponsoring organizations in adding to the original demands of the conference e. g. civil rights legislation, support of the proposal of Congressman Charles Diggs of Michigan to unseat the Mississippi delegation in the current Congress, et cetera. In short according to this informant what is being done now in reference to the conference is being done to a great extent by CP people in NAACP and non-Party people in NAACP who knowingly or unknowingly are carrying the flag for the Civil Rights Program of the CP under the the NAACP.

A reliable confidential informant of the Dallas Office advised on 1/22/55 that [redacted] previously mentioned had been in contact with [redacted] State Organizer for the NAACP. [redacted] said he checked with [redacted] regarding integration problems and indicated he would write an article for "Political Affairs" on the information he received concerning integration in the South. b7C

[redacted] also indicated he had been in contact with a [redacted] head of the NAACP in Fort Worth, Texas. (100-3-75-1093) b7C

On 1/16/56 a reliable informant in Houston, advised that [redacted] had been in that city and had proceeded to [redacted]

Informant further advised [redacted] indicated that he [redacted] planned to contact [redacted] in Texas. In line with desire to contact NAACP leaders informant advised [redacted]

(100-3-75-1067)

Memorandum for Mr. Belmont

b7C

[REDACTED] a source of information

[REDACTED] who has furnished reliable information, stated on [REDACTED] the main concentration point for the Communist Party in Negro matters is the NAACP. The Communist Party has urged support of the Washington demonstrations of the NAACP and is urging trade-union support for the NAACP. Further, the Communist Party line now is to forget "left" Negro organizations which has caused considerable differences of opinion among Communist Party members in New York and leaves "left" Negro leaders isolated as they will not be accepted into organizations such as the NAACP.

(100-3-75-1070)

An anonymous source of the Seattle Office on December 2, 1955, furnished a document captioned "Current Concentration Miss Issues in the Field of Struggle for Equal Rights For the Negro People," promulgated by the National Administrative Committee, Communist Party, USA.

This document states that the primary organizations through which concentration issues should be given maximum development are: Negro people's organizations, the NAACP, the ELKS, et cetera.

(100-3-75-1063) b7C

On [REDACTED] a reliable informant of the Philadelphia Office in reporting on a meeting [REDACTED] stated that [REDACTED] said the Communist Party must join in the program presently being carried on by the NAACP to collect food and money for the Negro people in the South.

(100-3-75-1059)

A confidential informant of the San Francisco Office who has furnished reliable information advised on [REDACTED] a Negro Communist Party member who [REDACTED]

[REDACTED] stated that at present there are only three Communist Party members in the San Francisco Chapter of the NAACP, two of whom are white and one a Negro.

(100-3-75-1046)

* [REDACTED] NAME should NOT be furnished

Marshall

b7C

b2, b7D
C

Memorandum for Mr. Belmont

[redacted] previously mentioned and a top level informant, advised on [redacted] that he learned from [redacted]

(100-3-75-1001) b7C

A confidential informant of the Buffalo Office who has furnished reliable information advised that on January 1956, [redacted] an active Communist Party member and an officer on the NAACP Board [redacted] met with [redacted] of the Upstate County Communist Party, and discussed a NAACP board meeting which [redacted] had just attended in Buffalo.
(Buffalo airtel January 11, 1956, captioned "Confidential NAACP Internal Security - C.")

On January 30, 1956, a reliable informant of the Chicago Office advised that [redacted] of the NAACP - CP Club in Chicago, has been assigned by the Communist Party to work within the NAACP in Chicago.
(Chicago airtel January 31, 1956, captioned "Confidential NAACP Internal Security - C.")

RECOMMENDATION:

That this memorandum be referred to Mr. Nichols for his information.

b7C

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Rosen *fw*

DATE: 2/13/56

FROM : Mr. Price *JP*

SUBJECT: THURGOOD MARSHALL
 GENERAL COUNSEL
 NATIONAL ASSOCIATION FOR THE
 ADVANCEMENT OF COLORED PEOPLE (NAACP)

The Director had inquired if we could identify case which had been mentioned by Mr. Thurgood Marshall when he was talking to Mr. Nichols and Mr. Rosen at the Bureau February 9, 1956. Marshall had stated that [redacted] staff employee for the National Association for the Advancement of Colored People in Birmingham, Alabama, had made some comments which Marshall thought were unjustified but mentioned that the case had occurred in Florida, south of Miami, and a Negro woman had been beaten up by the police. An Agent report went to find the witness and asked a police officer if he knew the witness and the officer offered to point out where the witness lived. According to Marshall this officer was in the minds of the colored people a bad police officer and colored people clammed up.

ACTION:

Supervisor [redacted] of the Miami Office was telephoned by Mr. Rosen at 12:34 p.m., on February 13, 1956, and asked to identify, if possible, such a case. Supervisor [redacted] of the Miami Office telephonically advised on the afternoon of February 13, 1956, that he had talked with Agents handling Civil Rights matters and had reviewed files but had been unable to identify such case in the Miami area during the past year. SA [redacted] advised that SA [redacted] is presently on extended sick leave and that he would check with SA [redacted] in a further effort to identify the matter. Supervisors in the Civil Rights Unit are unable to recall personally any case in the Miami area such as mentioned by Mr. Marshall.

*And all other Agents.

cc: 1 - Mr. Nichols

63 MAR 5 1956

EX-108 MAE DIA
DEC. 5 - FBI

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Nichols

8-21-56

FROM : M. A. Jones

#260/148

b7C

SUBJECT: THURGOOD MARSHALL
SPECIAL COUNSEL, NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE (NAACP)
TELEVISION APPEARANCE, MAY 20, 1956

Thurgood Marshall, Special Counsel for the NAACP, appeared on the television program, "Youth Wants to Know," over the National Broadcasting Network yesterday afternoon. [REDACTED] was the moderator.

In answer to questions put to him by the panel of youngsters, Marshall stated that he felt that the NAACP did represent the feelings of the Negro people although their membership was only 400,000. He added that he felt that all restrictions on segregation would be removed by law by 1963.

At the conclusion of the program, Marshall made reference to the Justice Department when he first answered a question regarding support received by the Justice Department in the present administration in connection with Civil Rights and integration. Marshall replied that Attorney General in the present administration, like the Attorney General in preceding administrations, is tied down by the present Federal Civil Rights Statutes. He added that the Republican and Democratic administrations alike have moved as quickly as they could "under the existing statutes

Another panel member stated that the House Committee on Un-American Activities (HCUA) had stated that half of the organizers of the NAACP appeared on lists held subversive by that Committee. Marshall replied that there was hardly any liberal not listed by the "Old Dies Committee" and that the only list which he considered authentic was the Attorney General's list.

b7C

Marshall advocated passive resistance as exemplified by the recent Montgomery, Alabama, bus situation as the best method of operation in the South because the NAACP absolutely refuses to utilize force regardless of the force applied against the Negro by the Whites in the South. He stated the NAACP was surprised by the development and conditions of the Montgomery situation.

CC - Mr. Nichols
CC - Mr. Boardman
CC - Mr. Belmont
CC - Mr. Rosen

14 MAY 25 1956

55 JUN 6 1956

Jones to Nichols Memo

5-21-5

situation and he referred to it as a "grass roots upheaval" with which the NAACP had nothing to do. In regard to the present political campaign Marshall denied that there was any such thing as a "Negro vote" but that the Negroes should support the party with the best Civil Rights platform. He stated that unless the Democrats produce more in the Civil Rights field, Negroes might go Republican.

In regard to White Citizens Council, (WCC) he said that it represented a threat to the Government as a whole and that like the Ku Klux Klan, these Councils were a threat to the economic growth of the South and that in addition they controlled the state legislatures in Mississippi and Alabama and that their main reason for existence was to cut down membership and the flow of funds to the NAACP.

RECOMMENDATION:

For information only.



✓ ✓
b7C

52

Office Memorandum • UNITED STATES GOVERNMENT

TO :

Mr. Tolson

DATE 6/15/56

FROM :

L. B. Nichols *LBN*

SUBJECT:

Thurgood Marshall called me from New York on 6/15/56. He is to make a keynote address at the Annual Convention of the NAACP on Tuesday, 9/25/56. He is leaving New York on Thursday, 9/20/56. He thinks that he could do some good if in the course of his remarks he could again make the point that the communists are seeking to capitalize through infiltrating Negro organizations and that they are attempting to make points out of discriminatory matters and he thought that if there were some general items as to what the communists are doing, their stepped up organization and their line, that this could be used to good advantage. He stated that no one would know where he got the information and he wondered if I could be of any help to him. I told him that I did not know; that I would look around and would call him next week.

I think that it might be to our advantage to give him a little guidance if we can on the basis of public source and well documented material. It is suggested that the Domestic Intelligence Division see what information is readily available which I will need by Tuesday, 6/19/56.

cc - Mr. Boardman
Mr. Belmont

LBN
(4)

10/28/56
#260,14
RECORDED-16

EX-109

65-54
27 JUN 21 1956-16
b7c

271

529

Office Memorandum • UNITED STATES GOVERNMENT

TO: Mr. Rosen *R*

DATE: October 1, *b7c*

FROM: Mr. Price *JP*

SUBJECT: UNKNOWN SUBJECTS; [REDACTED]
VICTIMS UNKNOWN; THURGOOD MARSHALL,
COMPLAINANT, DALLAS, TEXAS, 9/30/56
CIVIL RIGHTS *7-1*

A. B. Caldwell of the Department at 3:45 P. M. *Sept 30, 1956* telephoned Washington Field Office and requested limited investigation in Dallas, Texas, into allegations that [REDACTED]

[REDACTED] accompanied by group of armed Texas Rangers, on 9/29/56, Tyler, Texas, picked up unknown number of Negroes and transported them to Dallas for questioning in connection with their knowledge regarding a pending civil action number 868, in case of Bell vs. Ripy. SA [REDACTED] Washington Field Office, referred Caldwell's information to the Bureau

Caldwell stated Thurgood Marshall, counsel for National Association for the Advancement of Colored People (NAACP), called from Dallas today stating the Negroes were transported from Tyler to Dallas without subpoenas. Supervisor [REDACTED] called Mr. Caldwell and stated the Negroes involved were students and according to Marshall the Rangers took and held them at a place unknown to their attorneys for questioning the civil case.

Mr. Caldwell stated he had talked to Warren Olney of the Department who concurred with him, Caldwell, that limited investigation be conducted as soon as possible. He requested Bureau interview Marshall for identities of persons picked up and transported by Rangers and all other facts available, and that thereafter the individuals picked up be interviewed to determine whether they were intimidated or forced to accompany officials and other information available to them. *b7c*

Following a discussion by Supervisor [REDACTED] with Mr. Rosen, Duty Supervisor [REDACTED] talked to SA [REDACTED] of the Dallas Office and instructed that Thurgood Marshall be immediately contacted and interviewed for all facts and details re identity and number of Rangers

cc: Mr. Belmont
Mr. Nichols

1-2-7666
NOT RECORDED
175 OCT 4 1956

ENCLOSURE
50 OCT 9 1956

b7c 5

Memorandum to Mr. Rosen

b7c

involved and students picked up and for information as to how this alleged action pertained to the pending civil case in question. [REDACTED] was specifically instructed to submit teletype summary of information to Bureau tonight including any information in files re persons picked up, and that interview be conducted by two experienced Agents and no other investigation be conducted at this time.

RECOMMENDATION:

That this matter be further taken up with Civil Rights Unit of Department upon receipt of information from Dallas to determine what action is desired.

Newspaper clipping re "NAACP Loses First Round in Texas Injunction Fight" giving background is attached.

Enclosure [REDACTED]

b7c

DEC 10 1956

National Conference of Bar Examiners

520 GUARANTY BANK BUILDING
DENVER 2, COLORADO

December 4, 1956

Mr. J. Edgar Hoover, Director
Federal Bureau of Investigation
Department of Justice
Washington, D. C.

Dear Mr. Hoover:

We are preparing a character report on
Thurgood Marshall, whose history is attached.

If your office has any information which can
be made available to the New York Character Committee
with the understanding that it will be for the confi-
dential use, we should like very much to have it.

Yours sincerely,

Attachment

ENCLOSURE

EX-108

RECORDED - 54

62-86660-17

14 DEC 28 1956

EX-108

52 JAN 3 1957

MARSHA

Born: July 2, 1908 - Baltimore, Maryland
College: Lincoln University, Pa.
September 1925 - February 1930 A.B.
Law Study: Howard University
September 1930 - June 1933 LL.B.

Admitted to the bar of Maryland October 11, 1933

Law Practice and Employment: October 1933 - October 1935
Private general practice
4 E. Redwood St., Baltimore, Md.
October 1935 - October 1936
General practice; partnership with
Warner T. McGuinn
4 E. Redwood St., Baltimore, Md.
October 1936 - December 1939
Private practice from residence and
Special work for NAACP
1838 Druid Hill Ave., Baltimore, Md.
October 1936 - Present
Special counsel
National Assoc. for the Advancement of Colored
People
(gives residence in Baltimore at 1838 Druid
Hill Ave. to December 1939; since then at
409 Edgecombe Ave., New York, N. Y.)
Present office address--
107 West 43d St., New York, N. Y.

Present address: 409 Edgecombe Ave., New York, N. Y.

Applying for admission to the bar of New York

538

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. L. V. BOARDMAN *SP*

DATE December 1956

FROM : A. H. BELMONT *AM*

SUBJECT: THURGOOD MARSHALL

The Bureau has received a letter dated 12/4/56 from [redacted] National Conference of Bar Examiners, Denver, Colorado, who requested any available information concerning Thurgood Marshall, Special Counsel, for the National Association for the Advancement of Colored People (NAACP) connection with his application for admission to the Bar of New York.

The Bureau has not investigated Marshall. Our files contain public source information reflecting both derogatory and favorable concerning him. Specifically, Marshall has been affiliated with International Juridical Association, as national committeeman in 1948 and with the National Lawyers Guild as a speaker in 1948 and executive board member in 1949. Both organizations are cited by the House on Un-American Activities. He was also a sponsor in 1944 of the Federation for Constitutional Liberties, designated by the Attorney General. On October 28, 1943, Marshall received a check for \$247.75 from Benjamin J. Davis, Jr., to help fight "Jim Crow." Davis is one of the national leaders of the Communist Party, USA, who were convicted October, 1949, in New York of conspiracy for advocating the overthrow of the U.S. Government by force and violence. Other public source information indicated that since June, 1943, Marshall has publicly criticized and condemned all subversive organizations, the Communist Party and himself. He has warned the Negroes against communist infiltration of their groups. As recently as June, 1956, Marshall in his keynote address before the NAACP national convention at San Francisco, California, June 26 to July 2, 1956, warned the Association's membership against communism and the Communist Party. He urged the Association to adopt resolutions making it clear that the NAACP was strongly opposed to communism, which the Association did. Marshall has long advocated that "known communists" will be a member of the NAACP. (62-86660-5; 61-605; 6/28/56 issues "San Francisco Bulletin" and "San Francisco News" 61-3176-A)

In the past the Bureau has followed the policy (with the approval of the Attorney General) of cooperating with the National Conference of Bar Examiners by furnishing it public source and lead data for their use.

- (6) [redacted]
 1 - Mr. Nichols
 1 - Mr. Boardman
 1 - Mr. Belmont
 1 - Section tickler
 1 - Mr. Young

Enclosure

62-86660

INDEXED - 54
 RECORDED - 54

EX-103

14 DEC 23 1956

b7C

Memorandum for Mr. Boardman
Re: Thurgood Marshall

b7C

and assistance in passing upon the personal qualifications of ap
for admission to the Bar. However, in this particular case, alt
Bufiles reflect both favorable and unfavorable public source in
concerning Marshall, it is believed advisable that in order to a
possible future criticism and embarrassment, the Bureau should c
[redacted] that we have not investigated Marshall. Mr. Nichol
with this. Accordingly, a letter is attached instructing the SA
Denver to advise [redacted] that we have not investigated Mars

RECOMMENDATION:

If you approve, the attached letter will be sent to th
Denver.

gmw
Haw
10 # + 7/20
all

10/10

3
16

As of the morning of June 30 there have been no further contacts with Mars 1, but Mr. Nichols advises Marshall will be furnished with public source information.

2 - orig & dr-
1 - yellow
1 - Nichols
1 - Boardman
1 - Belmont
1 - Sect. tick.
1 - [redacted]

SAC, Denver

Director, FBI (62-86660)

THURGOOD MARSHALL

RECORDED - 54

62-86660-18

December 19, 1956

b7c

EX-108

The Bureau has received a letter dated 12/4/56 from [redacted] National Conference of Bar Examiners, 520 Guaranty Bank Building, Denver, Colorado, who requested any available information concerning Thurgood Marshall special counsel for the National Association for the Advancement of Colored People (NAACP), in connection with his application for admission to the Bar of New York.

You are instructed to personally contact [redacted] acknowledge the receipt of her letter, and advise her that the Bureau has conducted no investigation concerning Marshall.

(Cover memo Belmont to Boardman, 12/18/56,
Re: Thurgood Marshall, [redacted])

REC'D-READING ROOM
FBI

b7c

Handwritten signatures and initials:
H. B. [unclear]
G. [unclear]
[unclear] 12/22/56

Tolson _____
Nichols _____
Boardman _____
Belmont _____
Mohr _____
Parsons _____

MAILED 11
DEC 19 1956
COMM-FBI

3

52 JAN 3 1957

DEC 13

DEC 13 1956
RECEIVED-SECTION 108

567

Federal Bureau of Investigation
Records Branch

1956

☐ Name Check Unit - Room 6523
☐ Service Unit - Room 6524
☐ Forward to File Review
☐ Attention _____
☐ Return to 7633
 Supervisor Room Ext.

Type of References Requested:

☐ Regular Request (Analytical Search)
☒ All References (Subversive & Nonsubversive)
☐ Subversive References Only
☐ Nonsubversive References Only
☐ Main _____ References Only

Type of Search Requested:

☐ Restricted to Locality of _____
☐ Exact Name Only (On the Nose)
☒ Buildup ☐ Variations
☐ Check for Alphabetical Loyalty Form

Subject MARSHALL, THURGOOD
 Birthdate & Place _____
 Address _____

Localities PA; MD; DC; NY;

Re _____ Date 12/10 Searched _____
 Initials _____

FILE NUMBER

SERIAL

Utd from Serial in 62-86660 12/10/50
THURGOOD C. (BU)

NP 214-10894

THURGOOD

NP 214-1540

I 62-86660 =

I 62-86660-13 Summ 2/8/55

I 62-86660-5 Summ 12/15/55

I 62-86660-3 Summ 10/18/47

NP 214-2722-75

NP 214-4055-9

NP 214-4198-19

NP 214-10469-3

NP 61-3176-573, 574, 582, 583

NP 615, 1056, 1167, 1218, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

NP 61-3176-A-10/15/55

NP 61-3176-A-10/15/55

NP 61-3176-A-10/15/55

NP 61-3176-A-10/15/55

NP 61-3176-A-10/15/55

NP 61-3176-A-10/15/55

4-22b (11-23-55)

SEARCH SLIP

Subj: Marshall, Samuel
Date 12/10 Searched [REDACTED]
File Number [REDACTED]

FILE NUMBER

SERIAL

NP	61-3176-A - Wash City News
	NP 6/23/55; Newark Eve News
	NP 7/9/55; Dallas Times Her. NP 9/30/56
	Wash Star T 10/10/56 NP
NP	62-21788-11
NP	62-31615-968
NP	62-101087-46-A - Dallas
	Times Her. 9/25/56
NP	62-102524-3 NP
NP	62-102602-1, 2, 33 NP
NP	65-6656-A - NY Times 9/15/54
NP	100-3-3677
NP	100-3-28-1334 p. 54
NP	100-3-48-266 p. 2
NP	100-3-57-187 p. 13
NP	100-3-69-198 p. 8
NP	100-3-75-A - Wash Post 9/5/54

4-22b (11-23-55)

SEARCH SLIP

Subj: Marshall Herndon

R# _____ Date 12/10 Searcher Number _____

FILE NUMBER

SERIAL

FILE NUMBER	SERIAL
NP 100-7321-989, 1732	NP
NP 100-7801-2203p, 9, VI	NP
NP 100-390596-1X	
NP 100-396631-12	
NP 105-26198-24	
NP 105-34237-92 E.O.	
NP 105-34850-25	
NP 100-52504-38	
NP 44-9947-48	
NP 44-9947-55	NP
NP 61-3176-584p.9, 1777	NP
SI 1697p 4, 18, 20, 26, 1799	
NP 100-3-75-324, 540	NP
NP 100-287374-12	
NP 61-3176-773p. 8	
NP 44-5056-1	
NP 44-415-54p. 11	40

6-22b (11-23-55)

SEARCH SLIP

Subj: Marshall, Howard

Date 12/10 Search
Number

b7C

FILE NUMBER

SERIAL

	NP	NP
NP	110-7660-5361	5214 p. 14
NP	61-3176-A	Wash St. 3/31/50
NP	61-3176-576	p. 14, 1240, 1547
NP	100-135-53-276	p. 74
NP	100-335545-4	
NP	61-10149-2317	
NP	44-8081-5	
NP	62-9798-2738	End p. 4
NP	61-3176-1212	1743, 1560, 576
NP	62-25733-151	
NP	44-7751-1	
NP	44-10894-16	p. 3
SI	100-347095-17	
NP	100-24892-44	End p. 4, 58, 222
NP	100-364449-22	p. 39
NP	100-415676-3	p. 20
NP	100-362555-1544	(4)

4-22b (11-23-55)

SEARCH SLIP

Subj: Marshall, Hingood

NP Date 12/10 Searcher
Number

FILE NUMBER

SERIAL

NP	✓	100-7660-5282	p. 14, 5476	NP
		NP ✓	p. 2, 10, 53	NP
		NP ✓	32 p. 9, 5330	NP
NP	✓	61-7582-2378	Encl. p. 4, 16, 445;	NP
NP	✓	44-4198-72	p. 36	NP
NP	✓	100-7660-5459	5243 p. 12, 5145	NP
NP	✓	100-7801-1321	1338	NP
NP	✓	105-37895-1	CT 100-394596-1	
NP	✓	121-36261-5		
NP	✓	100-3-28-2132	p. 52	
NP	✓	100-37709-11		
NP	✓	9-0-1037		
NP	✓	9-21854-5		
NP	✓	44-3207-24		
NP	✓	44-4198-28		
NP	✓	44-5056-5		
NP	✓	44-7994-1		
NP	✓	44-8081-1		(5)

b7c

SEARCH SLIP

Subj: Marshall Thurmond

7# _____ Date 12/10 Search# _____
 _____ Number _____

FILE NUMBER

SERIAL

NP	105-3725-7x2; 7x7	NP	NP
I	123-8534-9		
NP	105-43653-1		
NP	105-40707-5		
NP	100-7801-1551A83		
NP	100-135-11-326p.34, 35	NP	NP
NP	100-16-38-174p.29		
NP	100-3-40-184p.23		
NP	62-101087-49-A work		
	date 10/24/56		
NP	62-101087-46-A- 1018/26	NP	NP
NP	10/3/56	NP	NP
NP	61-3176-1731, 1376, 1062	NP	NP
NP	50-2314-1		
NP	44-3363-11		
NP	Yma.	(SP)	⑦
NP	61-3176-A-Page 10		

54B

4-22b (11-23-55)

b7C

SEARCH SLIP

Subj: Marshall, Thurgood

R# _____ Date 12/10 Searcher _____ Number _____

FILE NUMBER

Thurgood (var)

NP 61-3176-A-~~2~~ 9/20/4

NP 61-3176-1427 p.2

Thurgood (var)

SE 100-7321-481 p107

SI 100-7321-6

NP 100-3-4-6580 p.33

NP 100-203268-1088

Hudgood (var)

NP 100-7660-2471

Thurgood (var)

NP 100-135-53-232 p12

Thurgood (var)

NP 100-135-3-159, 162 p.86

Therangood (var)

SI

4-22b (11-23-55)

SEARCH SLIP

Subj: Marshall, Thurgood

R# Date 12/10 Searcher
Number

FILE NUMBER

SERIAL

NP	61-190-574	Encl, P. 34
NP	61-3176-605	769 Encl, P. 9
NP	1160, 1202, 764, 585	NP
NP	61-3176-A-XW	6/6/52
ST	61-621-990	Encl, P. 17
NP	62-101087-35-A	BW 4/29/55
NP	65-6656-108	
NP	66-6200-44-441	
NP	77-49095-22	
NP	100-135-34-596	
ST	100-7321-646	P. 31
NP	100-37709-76	P. 24
NP	100-338659-5	
NP	100-380248-1	
NP	100-387295-1	
NP	100-387835-116	(6)
NP	100-402682-A	BW 9/15/54

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (62-36660)

DATE: 1/4/57

FROM : SAC, DENVER (62-1277)

SUBJECT: THURGOOD MARSHALL

b7c

Re Bureau letter dated December 19, 1956.

In compliance therewith, [REDACTED] National Conference of Bar Examiners, Denver, was personally contacted on December 31, 1956 and advised that the Bureau has conducted no investigation concerning MARSHALL.

- C -

2 - Bureau
1 - Denver

(3)

b7c

RECORDED - 8

JAN 7 1957

52

85-10

54

XXXXXXXXXX
XXXXXXXXXX
XXXXXXXXXX

**FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET**

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

Deletions were made pursuant to the exemptions indicated below with no segregable material available for release to you.

Section 552

Section 552a

~~(b)(1)~~

☐ (b)(7)(A)

□ (dXS)

□ (b)(2)

☐ (b)(7)(B)

☐ (j)(2)

☐ (b)(3)

☐ (b)(7)(C)

□ (kX1)

☐ (b)(7)(D)

☐ (kX2)

□ (b)(7)(E)

□ (kX3)

☐ (b)(7)(F)

□ (k)(4)

□ (b)(4)

□ (b)(8)

□ (KXS)

□ (b)(5)

Q (b)(9)

□ (KX6)

☐ (b)(6)

□ (k)(7)

☐ Information pertained only to a third party with no reference to the subject of your request.

☐ Information pertained only to a third party. The subject of your request is listed in the title only.

☐ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

Page(s) withheld inasmuch as a final release determination has not been made. You will be advised as to the disposition at a later date.

Pages were not considered for release as they are duplicative of

For your information:

ii The following number is to be used for reference regarding these pages:

62-86660-20

XXXXXX
XXXXXX
XXXXXX

XXXXXXXXXXXXXXXXXXXXX
X DELETED PAGE(S) X
XNO DUPLICATION FEE X
X FOR THIS PAGE X
XXXXXXXXXXXXXXXXXXXXX

FBI/DO

CONFIDENTIAL

67C
P - Orig & 1
- Yellows
1 - [REDACTED]
1 - [REDACTED]
1 - Section T
1 - [REDACTED]

BY COURIER SERVICE

4/17/83
CLASS. & EXT. BY 7858
REASON - FCIM II, 1-2.4.2
DATE OF REVIEW 2/17/92

Date: May 31, 1957

To: [REDACTED] b1

Attention: [REDACTED] (C)

From: John Edgar Hoover, Director
Federal Bureau of Investigation

Subject: THURGOOD MARSHALL; FWARD
KENNEDY (DUKE) ELLINGTON

Under date of May 28, 1957, you requested an expedite name check concerning the above-captioned individuals to be furnished to you by May 31, 1957.

This is to advise that a preliminary check of our files reveals numerous references on the above-named individuals, which will necessitate an extensive review. It will, therefore, not be possible to furnish the information which you desired by May 31, 1957. We will make every effort to furnish you the information at the earliest possible date.

62-86660 (Marshall)

62-86660 (Ellington)

Tolson _____
Nichols _____
Boardman _____
Belmont _____
Mason _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
Nease _____
Winterrowd _____
Tele. Room _____
Holloman _____
Gandy _____



62-86660
NOT RECORDED
JUN 4 1957
JUN 31 2 10 PM '57
RECEIVED
JUN 31 4 26 PM '57
CONFIDENTIAL
67C

~~CONFIDENTIAL~~

~~SECRET~~

2 - brig & 1
1 - yellow
1 - section
1 - [redacted]

b7C

BY COURIER SERVICE

Date: June 4, 1957

RECORDED - 77 62-86660-20

[redacted]

(S)

b1

From: John Edgar Hoover, Director
Federal Bureau of Investigation

Subject: THURGOOD MARSHALL

b7C

Reference is made to your letter dated May 28, 1957, requesting a check of our files concerning Thurgood Marshall, Special Counsel for the National Association for the Advancement of Colored People (NAACP).

This Bureau has not investigated Marshall. Our files contain information reflecting both derogatory and favorable data concerning him. Specifically, Marshall has been affiliated with the International Juridical Association, as national committeeman in 1944, and with the National Lawyers' Guild as a speaker in 1948 and executive board member in 1949. Both organizations have been cited as communist fronts by the House Committee on Un-American Activities. He was also a sponsor in 1944 of the National Federation for Constitutional Liberties, an organization designated by the Attorney General of the United States pursuant to Executive Order 10450. On October 28, 1949, Marshall reportedly received a check for \$247.75 from Benjamin J. Davis, Jr., to help fight "Jim Crow." Davis is one of the eleven national leaders of the Communist Party (CP), USA, who were convicted in October, 1949, at New York City of conspiracy for advocating the overthrow of the United States Government by force and violence.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

Classified per OGA letter dated
7-30-96 8/27/96 SP3
#369714

Tolson _____
Belmont _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
Nease _____
Winterrowd _____
Tele. Room _____
Holloman _____
Gandy _____

62-86660-142

CONFIDENTIAL
COURIER SVC.
30 JUN - 5
COMM - FBI

b7C

549

~~CONFIDENTIAL~~

~~SECRET~~

Letter to [REDACTED]

(S)

Other information in our files indicates that since June, 1949, Marshall has publicly criticized and condemned all subversive organizations, the CP and communism itself. He has warned the Negroes against communist infiltration into all groups. As recently as June, 1956, Marshall in his keynote address before the NAACP national convention at San Francisco, California, June 26 to July 2, 1956, warned the Association's membership against communism and the CP. He urged the Association to adopt resolutions making it clear that the NAACP was strongly opposed to communism, which the Association did. Marshall has long advocated that no "known communists" will be accepted as members of the NAACP.

The foregoing information is furnished to you as a result of your request for an FBI file check and is not to be construed as a clearance or nonclearance of the individual involved. This information is furnished for your use and should not be disseminated outside of your agency.

~~SECRET~~

~~CONFIDENTIAL~~

- 2 -

NUMEROUS REFERENCE

4-22a

SEARCH SLIP

Subj: Marshall, E. Hargood

Supervisor

Room

#

Searcher

Date

5-29-57

Initial

141

FILE NUMBER

SERIAL

NP 44-9947-48, 55
 NP 62-9798-2738 E p 4
 NP 62-102602-33
 NP 61-3176-773 p 8 ^{wrong number}
 NP 62-101087-244
 NP 61-3176-A. Wm. Star
 (No date) date on card 12-7-56
 New Orleans State 1-8-57
 NP 61-3176-1835 E p 7. 1560.
 NP 1743, 1202, 1160, 1921 p 7
 NP 44-10894-16 p 3
 NP 62-101087-21-A. Wm.
 Times Picayune 1-21-57
 NP 100-135-34-596
 NP 66-6200-44-441
 NP 65-6656-108
 NP 61-190-574 E 1 p 34
 NP 9-0-1037
 NP 105-43132-6
 NP 61-3176-1376, 1376, 1376
 NP 62-101087-46-A. Hargood
 NP Times Herald 10-3-56
 O W. 10-8-56 (3)

NUMEROUS REFERENCE

4-22a

SEARCH SLIP

b7C

Subj: Marshall, E. Hargood

Supervisor

Room

#

Searcher

Date

5-29-57

Initial

141

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 6/25/96 BY SP3

NP 62-101087-49-A. Wm.
 Star 10-24-56
 NP 105-43653-1
 NP Hargood (ua) ^{not used}
 NP 100-159054-1
 NP 100-135-24-A. Wm. Star
 9-30-52
 NP Hargood (ua)
 NP 61-3176-A. Wm. Star
 NP 61-3176-1427 p 2
 NP Hargood (ua)
 NP 51
 NP Hargood (ua)
 SI 100-7321-481 p 107, 6;
 NP 100-3-4-6980 p 33
 NP 100-203268-1088
 NP 100-7660-2471
 NP 100-135-53-232 p 12
 NP 100-135-2-159, 162 p 86
 NP 66-3327

(4)
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NUMEROUS REFERENCE

4-22a

SEARCH SLIP

Subj: Marshall, Thurgood

Supervisor _____ Room _____

Searcher _____

Date 5-29-57 Initial 141

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 6/24/96 BY SP3

SERIAL

NP 61-3176-A - Dallas Times

Herald 9-30-56

SI 61-3176-1766 p 9. 169405

SI-NP 1684-1492-1221, 1141 p 25

NP 100-7801-2203 p 9, 12

NP 100-7321-1732

NP 100-3-49-1918 p 8

NP 100-3-57-187 p 13

NP 65-6656-A - D. Y. Times

9-15-56

NP 62-31615-968

NP 62-21788-11

NP 62-101087-46-A - Dallas

Times Herald 9-25-56

NP 62-101087-49-A - Sun

Star 2-21-57

NP 44-10469-3

NP 44-9947-A - Birmingham

News 1-19-57

NP 65-43132-7

NP 61-3176-1687 p 4, 18, 20, 21

NP 1777-1212-1547 p 1, 2, 3

(2)

4-22a (Rev. 12-17-56)

Bureau of Investigation
Records Branch

78/1/1957

☐ Name Check Unit - Room 6523
☐ Service Unit - Room 6524
☐ Forward to File Review
☐ Attention _____
☐ Return to _____

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Supervisor _____ Room _____ Ext. _____

Type of References Requested:

☐ Regular Request (Analytical Search)
☐ All References (Subversive & Nonsubversive)
☐ Subversive References Only
☐ Nonsubversive References Only
☐ Main _____ References Only

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ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 6/25/96 BY SP3

369714

Subject Marshall, Thurgood

Birthdate & Place _____

Address 142 - Sun 2/56

Localities _____

R# _____ Date 5-29-57 Searcher Initials 141

FILE NUMBER SERIAL

I 62-86660 I

NP 44-1540

NP 44-10894

I 62-86660-3 Sun 2/4/57

5 Sun 2/5/57

18 Sun 2/5/57

13 (Sun) 2/5/57

NP 44-11126-3

NP 62-101087-A - Courier 2/6/57

NP 62-101087-49-A - Sun

Text & Times Herald 3-12-57

Star 3-12-57

NP 61-3176-A - Dallas Morning

News 12-5-56 - Cincinnati

Enquirer 1-24-57

NP-SI 61-3176-1849 p 4, 18, 20, 21

NP 61-3176-A - Post - South

Courier 4-6-57 - 2/5/57

Birmingham Times 3-7-57

Star 10-10-56 (1)

558

4-22b (11-23-55)

SEARCH SLIP

Subj: Marshall, ThurgoodR# 331 Date 4-8 Searcher Number 25

FILE NUMBER

13 *CP*

SERIAL

(Cont)

1	100-7801-2203	9, VI
	61-3176-1161	Eng p25
I	61-3176-1221	1492, 1684, 1694, 5
	1766	9
I	61-3176-A	Dothan Times 2-11-56
I	44-10469-3	
I	61-3176-A	Wash. Star 10-10-56
I	61-3176-A	22 Birmingham Times 3-7-57
I	61-3176-A	Post-Bulletin Courier 4-6-57
I	61-3176-1849	24, 6, 7, 14
	61-3176-A	Cincinnati Enquirer 1-24-57
I	61-3176-A	Dothan Morning News 12-5-56
I	62-101087-49-A	Wash. Star 3-13-57
I	62-101087-49-A	Wash. Post + Times 5-12-57
I	62-101087-A	Courier 2-2-57
I	44-11126-3	
I	100-3-48-266	p2

4-22b (11-23-55)

SEARCH SLIP

Subj: Marshall, ThurgoodR# 331 Date 4-8 Searcher Number 25

FILE NUMBER

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SERIAL

with name dated 12/15/50

I	62-86660	I
I	44-1540	PT. 1 1540
I	44-10894	
I	62-86660-20	Sum 5-22-57 I
I	62-86660-15	Sum 5-10-56 I
I	62-86660-18	Sum 12-12-56 I
I	62-86660-3	Sum 10-11-57 I
I	62-86660-5	Sum 12-15-57
I	105-52615-25	b7C
I	62-101087-49-A	Wash. Star 2-21-57
I	62-101087-46-A	Dothan Times 2-21-57
I	62-21788-11	
I	62-31615-968	
I	65-6656-A	Wash. Post + Times 9-15-57
I	100-3-57-187	p13
I	100-3-69-1512	p8
I	100-7321-1732	

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HEREIN IS UNCLASSIFIED
DATE 6/24/91 BY SP

4-22b (11-23-55)

SEARCH SLIP

Subj: Marshall, Thurgood
 R# 351 Date 4-8 Searcher Number 5

FILE NUMBER

1804

SERIAL

(cont)

I	61-3176-615,602,583,574
I	573
I	44-4198-19
I	44-4055-9
I	44-2722-75
I	105-34850-25
I	105-34227-92, Encl
I	61-3176-A Bail, Wash 5-21-57
I	105-26198-24
I	100-372631-12
I	100-374596-1X
I	61-3176-A Cleveland Co. & Port 6-15-57
I	100-7321-989
I	100-3-75-A The Worker 9-5-54
I	61-3176-A Early Worker 6-10-57
I	62-101087-14-A The Worker 1-10-58
I	61-3176-A Arkansas Gazette 1-10-58

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4-22b (11-23-55)

SEARCH SLIP

Subj: Marshall, Thurgood
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1804

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I	100-3-22-1334 @ 5
I	100-3-3677
I	62-102602-2, 1
I	62-102524-3
I	61-3176-A Newark, N.J. 7-9-55
I	61-3176-A Wash. City 6-2-57
I	61-3176-A Wash. Post 6-2-57
I	61-3176-A E.W. 6-6-55
I	61-3176-A Wash. Post 5-3-57
I	61-3176-A E.W. 5-2-57
I	61-3176-A D.W. 5-3-57
I	61-3176-A 2nd Worker 4-17-57
I	61-3176-A The Worker 1-1-57
I	61-3176-A Daily Worker 4-13-55
I	61-3176-A E.W. 2-18-55
I	61-3176-1056X
I	105-16510-202 pg 24

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SEARCH SLIP

Subj: Marshall, Thurgood
 Supervisor _____ Room _____
 R# 0 Date _____ Searcher Initial 55

FILE NUMBER 270 SERIAL

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4-22b (11-23-55)

SEARCH SLIP

Subj: Marshall, Thurgood
 R# 0 Date 4-8 Searcher Number 55

FILE NUMBER 130 SERIAL (Cont)

I 61-3176-1697 18, 20, 26
I 61-3176-1777
I 44-9947-46
I 61-3176-A N.Y. Times 11-1-57
I 44-12284-19
I 44-8081-5
I 61-10149-2317
I 100-335545-4
I 100-135-53-276 274
I 61-3176-576 14
I 61-3176-A. Wash. Post 11-1-57
I ~~100-7660-5561~~ 17
I 44-4055-59
I 44-4118-54 11
I 44-5056-1
I 62-104007-2
I 62-101087-13-A Wash. City Times 1-1-57
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I 61-3176-A 11-17-57
I 62-101087-49-10 Encl p11
I 62-102524-8
I 61-3176-1212 1547, 1240
I 62-9792-2738 Encl p4
I 62-102602-33
I 61-3176-773 18
I 62-101087-244
I 62-101087-14-A with 2 journals
I 61-7582-2378 Encl p4069, 4145
I 44-4198-72 136
I 61-3176-578
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I 61-3176-A Wash. Post & Times 6-1-57
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I 61-3176-A Journal & Herald 10-12-57
I 61-3176-A T.Y. Post 7-1-57
I 61-3176-A Wash. Times 8-8-57
I 62-101087-21-A 1-16-57
I 61-3176-A Wash. Times 1-17-57
I 61-3176-A Wash. Times 11-1-57
I 61-3176-584 19
I 62-101087-7-A 1-1-57
I 100-3-75-524, 540
I 100-52504-38
I 100-287374-12
I 44-9947-55
I 44-9947-A 1-19-57
I 105-43132-7

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NUMEROUS REFERENCE

SEARCH SLIP

Subj: Marshall, Thurgood

Supervisor [initials] Room [initials]

R# [initials] Date 4-8 Searcher Initial 55

FILE NUMBER 2504 SERIAL [initials]

100-387295-1

100-380248-1

100-338659-5

100-37709-76224

100-7655-5145, 524327

100-7321-646 p31

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62-101087-35-A J.W. 4-29-55

61-6211-990 Encl. p17

61-3176-A DW. 6-6-52

61-3176-769 C p9

61-3176-605

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44-7994-1

44-5056-5

44-4198-28

44-3207-24

62-101087-7-A 12-20-57

61-3176-A Courier 7-4-57

61-3176-1921 Encl p7

61-190-574 E1 p32

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44-10894-116 p3

62-77787-259-452

62-101087-A 11-1-57

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DATE 1/26/01 BY SP2

NUMEROUS REFERENCE

SEARCH SLIP

Subj: Marshall, Thurgood

Supervisor [initials] Room [initials]

R# [initials] Date 4-8 Searcher Initial 55

FILE NUMBER 2504 SERIAL [initials]

100-7801-1338

121-36261-5

105-37895-1

100-7660-5214 p14, 5282 p14, 5476 p2, 10, 5532 p9, 5532 p11

100-362555-1544

61-3176-A Pittsburgh Courier 1-16-58

100-415676-3 p30

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100-366449-22 p39

101-24892-44 Encl p41, 58, 22

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61-3176-A New Orleans States 1-8-57

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105-37125-7x7 7x2

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ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 6/25/96 BY SP3

NUMEROUS REFERENCE

SEARCH SLIP

Subj: Marshall, Thurgood **b7C**Supervisor ()Room R# ()Date 4-8Searcher Initial

FILE NUMBER

SERIAL

180A

I	61-3176-585	
I	61-3176-764	1062
I	100-3-40-164	p 20
I	100-16-38-174	p 29
I	100-7801-1551	p 83
I	105-40707-5	
I	61-3176-A	Journal + <u> </u> 9-22-57
I	105-43653-1	
I	61-3176-1376	
I	61-3176-A	Journal + <u> </u> 10-5-57
I	61-3176-1731	
I	62-101087-46-A	Bailin, Simon, Harsh 10-3-56
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I	62-101087-49-A	Wick, Harsh, Simon, Harsh 8-6-57
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I	62-101087-49-A	Wick, Harsh, Simon, Harsh 10/24/57
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I	44-10894-37	

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Marshall, Thurgood C.
44-10894

Marshall, Thurgood M.
61-3176-A N.Y.C. 11/1/57

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HEREIN IS UNCLASSIFIED
DATE 6/25/96 BY SP

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APR 22 1958

CHUCK CHECK

[REDACTED]

The investigation pertinent to your inquiry has been conducted by the FBI concerning the captioned individual. However, the files of this Bureau reflect the following information which may relate to the subject of your memo check request.

The confidential informants providing information appearing below have furnished reliable information in the past. The National Negro Congress and the National Federation for Constitutional Liberties, mentioned below, have both been designated by the Attorney General of the United States pursuant to Executive Order 10450.

[REDACTED]

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In a thirty-two page pamphlet issued by the National Federation for Constitutional Liberties announcing a dinner at the Hotel Roosevelt, New York City, on April 2, 1941, held under the auspices of that organization, Thurgood Marshall was listed as a speaker.

[REDACTED]

- Tolson _____
- Nichols _____
- Boardman _____
- Belmont _____
- Mohr _____
- Parsons _____
- Rosen _____
- Tamm _____
- Trotter _____
- Nease _____
- Tele. Room _____
- Holloman _____
- Gandy _____

Orig. and one to WHA
Reg. rec'd: 4/21/58

REC-1

62-86660-21

APR 22 1958

NOTE: This memo contains information from a confidential informant, revelation of which may endanger the national security of the United States.

DECLASSIFIED BY SP3
ON 6-25-96

52 APR 24 1958

369714

~~CONFIDENTIAL~~

Thurgood Marshall

Thurgood Marshall was listed in the Special Committee on Un-American Activities, House Report 1311, 74th Congress, 1st Session, dated March 29, 1944, in pages 75 and 80. Marshall was listed as a National Association of the Advancement of Colored People (NAACP) member. The International Workers Order of America has been cited as "a communist front and an agent of the International Labor Defense," by the Special Committee on Un-American Activities, House Report 1311, dated March 29, 1944.

A confidential informant advised that Thurgood Marshall of the National Association for the Advancement of Colored People (NAACP), 20 West 40th Street, New York, New York, was a member of the Committee on Civil Rights and Liberties of the National Lawyers' Guild, and was a member of the New York Chapter of that guild in 1948. The House Committee on Un-American Activities in its report dated September 17, 1950, listed Thurgood Marshall as Executive Board member of the National Lawyers' Guild as of December, 1949. The National Lawyers' Guild has been cited as a communist front by the Special Committee on Un-American Activities, House Report 1311, dated March 29, 1944.

Other information in our files indicates that since June, 1943, Marshall has publicly criticized and condemned all subversive organizations, the Communist Party and communism itself. He has warned the Negroes against communist infiltration into all groups. As recently as June, 1956, Marshall in his keynote address before the NAACP national convention at San Francisco, California, June 26 to July 2, 1956, warned the Association's membership against communism and the Communist Party. He urged the Association to adopt resolutions making it clear that the NAACP was strongly opposed to communism, which the Association did. Marshall has also indicated that no "black communists" will be accepted as members of the NAACP.

The foregoing information is furnished to you as a result of your request for an FBI file check and is not to be construed as a clearance or a disavowance of the individual involved. This information is loaned for your use and is not to be disseminated outside of your agency.

~~CONFIDENTIAL~~

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Office Memorandum • UNITED STATES GOVERNMENT

TO : F. J. Baumgardner

DATE: June 30,

FROM : J. J. O'Connor

SUBJECT: THURGOOD MARSHALL
SM-C

Attached is a memorandum prepared by the New York Office concerning captioned individual, which does not include any information obtained as the result of a file review at Seat of Government. The attached was transmitted by New York letter dated June 6, 1958, captioned "Communist Infiltration of the National Association for Advancement of Colored People (NAACP), Internal Security - C," the original of which is filed in Bufile 61-3176-2553.

EXTREME CAUTION SHOULD BE TAKEN IN UTILIZING THE INFORMATION IN THE ATTACHED AS INCLUDED THEREIN MAY BE INFORMATION, PARTICULARLY THAT FROM THE INDICES OF THE HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES (HCUA), WHICH HAS NOT BEEN DEFINITELY IDENTIFIED AS BEING IDENTICAL WITH CAPTIONED INDIVIDUAL. THE ATTACHED MEMORANDUM, OR REPRODUCTION THEREOF, SHOULD NOT BE DISSEMINATED IN ITS ENTIRETY.

RECOMMENDATION:

It is recommended that instant memorandum and its attachment be routed to the Records Branch:



To be filed in case file of captioned individual



To have a new 100 main inactive file opened on captioned individual and for filing therein.

REC-85

EX-117

JUL 2 1958

Enclosure
Bufile 62-86660

ENCLOSURE

REC-85

57 JUL 9 1958

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XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET11 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

Deletions were made pursuant to the exemptions indicated below with no segregable material available for release to you.

Section 552

Section 552a

☐ (b)(1)☐ (b)(7)(A)☐ (d)(5)☐ (b)(2)☐ (b)(7)(B)☐ (j)(2)☐ (b)(3)☐ (b)(7)(C)☐ (k)(1)☐ (b)(7)(D)☐ (k)(2)☐ (b)(7)(E)☐ (k)(3)☐ (b)(7)(F)☐ (k)(4)☐ (b)(4)☐ (b)(8)☐ (k)(5)☐ (b)(5)☐ (b)(9)☐ (k)(6)☐ (b)(6)☐ (k)(7)☐ Information pertained only to a third party with no reference to the subject of your request.☐ Information pertained only to a third party. The subject of your request is listed in the title only.☐ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you. Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies). Page(s) withheld inasmuch as a final release determination has not been made. You will be advised as to the disposition at a later date.☒ Pages were not considered for release as they are duplicative of 100-111437-11☐ For your information: _____☒ The following number is to be used for reference regarding these pages:62-86660-27XXXXXX
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X DELETED PAGE(S) X
X NO DUPLICATION FEE X
X FOR THIS PAGE X
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FBI/DOJ

561

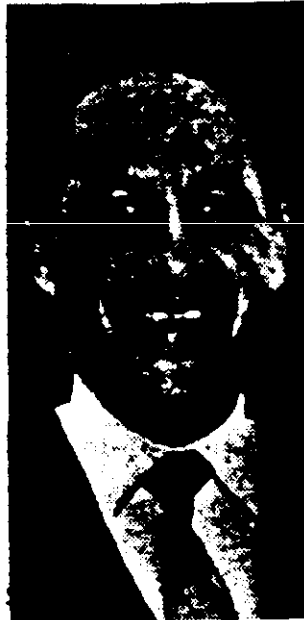
Man to Watch

Marshall: Civil-Rights Champion

THURGOOD MARSHALL, the constitutional lawyer who, for years now, has led the legal fight in this country against racial segregation, was originally given the name Thoroughgood by his father. "By the time I was in the second grade," he says, "I got tired of spelling all that and shortened it."

Be that as it may, Mr. Marshall's father had foresight. For observers—and opposing attorneys—agree that if one thing has marked his work as chief counsel for the National Association for the Advancement of Colored People, it is this thoroughness in preparing his case for the courtroom.

At present, the forty-nine-year-old veteran lawyer, who has lost only two of more than twenty cases involving civil rights that he has argued before the United States Supreme Court, is getting ready for his next battle: a plea to the 8th Circuit Court of Appeals in St. Louis, Mo., to set aside a recent order by a Federal judge suspending the integration of public schools in Little Rock. The court is expected to hear the case before the next school year begins in September.



Thurgood Marshall

IN THE courtroom, Mr. Marshall slumps his lanky, six-foot two-inch frame down into a chair, listens with an intent frown and speaks in moderate and measured tones. Outwardly, he is married and the father of a young son; an exuberant, ceaseless yarn-spinner with likes that run to

movies, symphonies, detective stories, poker with bourbon on the side, and electric trains (he wears an engineer's cap when he runs his models).

Mr. Marshall was born in Baltimore and tangled with the United States Constitution at an early age: every time he broke a rule in school, the principal made him memorize a section of the document. "Before I left that school," he says, "I knew the whole thing by heart."

HE WORKED his way through Lincoln University and Howard University Law School as a dining-car waiter and postal worker, and after a brief spell in private practice, joined the N. A. A. C. P.'s legal staff in 1936. He has remained there through insults and honors, death threats and job offers (most recently rejected: a Democratic move to run him against Rep. Adam Clayton Powell for Harlem's Congressional seat).

Through it all, his philosophy has remained unchanged: "The doctrine of 'separate but equal' was created by the court and can be removed by the court. . . . We are only asking for what the Supreme Court said we are entitled to." **ARCE PARSONS JR.**

REC- 54

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Mr. Tolson
Mr. Boardman
Mr. Nichols
Mr. Belmont
Mr. Ladd
Mr. Clegg
Mr. Glavin
Mr. Harbo
Mr. Rosen
Mr. Tracy
Mr. Egan
Mr. Gurnea
Mr. Hendon
Mr. Pennington
Mr. Quinn
Mr. Nease
Tele. Room
Mr. Holloman
Miss Gandy



Voice of the N. A. A. C. P. Thurgood Marshall

WHEN the Supreme Court hears arguments today on integration of public schools in Little Rock, Ark., Thurgood Marshall will be shouting for his nineteenth victory out of the twenty-one civil rights cases he has pleaded before the highest court. Because of his outstanding success in this field, he is known throughout the Negro press as "Mr. Civil Rights."

Mr. Marshall has been full-time counsel for the National Association for the Advancement of Colored People, spearhead of the Negro drive for racial equality, since 1931.

But most of his major triumphs in his long fight for equal rights in schools, politics, housing, employment, transportation and public places have been won since World War II. Recently he predicted that full integration would be achieved by 1964.

In the courts, Mr. Marshall pleads his cause in straightforward fashion, never with histrionics or bombast, self-righteousness or pedantry. The quiet, scholarly voice that cut forth the winning arguments in all the Supreme Court school segregation cases might have been that of a sociologist.



Mr. Civil Rights
(Mr. Marshall at Supreme Court in Washington)

CLIPPING
N.Y. TIMES
LATE EDITION
DATED AUG 24
PAGE 2
FORWARDED BY NY

RE: NAACP
IS-C
BUFILE 61-

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file
62-56460

503

NOT RECORDED
167 SEP 12 1958
59 SEP 16 1958

...thinks, his deportment is characteristically different. Among friends, he reveals in spontaneous manner, spiced with what one reporter has called a "saloon-type humor." He tells funny stories loudly and with gusto, in a Negro dialect that never creeps into his public utterances. On his frequent train trips he is likely to wander into the diner and pass the time trading jokes with the cooks and waiters.

Mr. Marshall was born in Baltimore on July 2, 1904, son of a dining car steward and a school teacher. They named him Thurgood, but he has explained, "By the time I reached the second grade, I got tired of spelling all that out and had shortened it to Thurgood."

At was in high school that he first became acquainted—and forcibly—with the United States Constitution. Although his academic work was excellent, his behavior was frank. As punishment, he was repeatedly ordered to the basement to memorize a section of the document that was to underlay his future career.

"In two years," he recalls, "I knew the whole thing by heart."

He later went to Lincoln University in Chester, Pa., and to Howard University Law School in Washington, where he graduated at the top of his class.

\$1,000 in the first year. In 1933, Mr. Marshall found himself \$1,000 in the red one year after hanging out his shingle. That was because he continually took on civil rights cases at no compensation.

In 1936 he accepted a "temporary" job as assistant counsel for the N. A. A. C. P. at an annual salary of \$2,000. He became chief counsel in 1938. He indicates no inclination to quit for greater pay, although associates are sure that in private practice he could surpass his present salary of \$24,000.

For does he seem to have political ambitions. He turned down a request by the Democratic party to oppose Adam Clayton Powell Jr. for New

York. He is a member of the N. A. A. C. P. His frankness, he explained, "I would and I think for the same things."

He says that a figurative sense, it might be said that Mr. Marshall is devoted to his job. In December, 1955, he wed Miss Cecilia Sybil, a young secretary in the New York office of the N. A. A. C. P.

Mr. Marshall's first wife died of lung cancer in February, 1953. They had no children. By his second wife, he has two babies.

The family lives in Morningside Gardens, the cooperative apartment house near Columbia University. There, on most evenings, Mr. Marshall sits hunched over a table covered with books and law books, with a crowd of consultation on his face. With his hooked nose, mustache and constant frown, he looks like an angry Bedouin chief.

Mr. Marshall is a big, heavy man—215 pounds on a 6-foot-3-inch frame. At 50, he somehow maintains energetic health without exercise or vacations.

With all his legalistic interest in constitutional questions, Mr. Marshall never forgets his client, whom he refers to in private conversation as the "hard pressed little guy in Alabama."

"What he wants most is simply to get the local sheriff, or judge or prosecutor off his back. And he wants to get the burden off the poor man's shoulders," Mr. Marshall says.

2 564

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OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

3:43PM May 11, 1959

MR. THURGOOD MARSHALL of the National Association for the Advancement of Colored People telephoned for the Director through operator and secretary from New York City. When advised of the Director's absence from the office, he consented to speak to Mr. Edwards in Mr. DeLoach's office

Mr. Tolson ✓
Mr. Belmont ✓
Mr. DeLoach ✓
Mr. McGuire ✓
Mr. Mohr ✓
Mr. Parsons ✓
Mr. Rosen ✓
Mr. Tamm ✓
Mr. Trotter ✓
Mr. Jones ✓
Mr. W.C. Sullivan ✓
Tele. Room ✓
Mr. Holloman ✓
Miss Holmes ✓
Miss Gandy ✓

Mr. Edwards has advised that Mr. Marshall was calling to advise the Director that he had been contacted for an appointment by a reporter of the New York Post concerning a story the Post is writing on the Bureau or on the Director. He wanted the Director to know that he planned to tell the reporter to either "put up or shut up" and he would demand to know specific cases and not generalities if they wanted his opinion of things. He stated he had learned this from the Director many years ago and he thought this was the best way to handle the New York Post.

Mr. Edwards told him that obviously we couldn't advise him but that it was still true in the Bureau that we needed specific information in order to resolve any allegations.

Mr. Edwards is preparing a memorandum. 996,412
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/31/84 BY 826

REC-93

12 MAY 15 1959

02 MAY 22 1959

CR. 122

Muhammad Hits Thurgood Marshall

REGARDLESS of how plain the truth may be given, especially when it comes to the so-called Negroes, there is always those who would not like to see the truth triumph over falsehood because of their selfish desires. Those who have love, honor and respect for their country more than they have for God and their own people are not fit to lead or counsel their people.

Leadership "Blind, Deaf and Dumb"

The Negro leadership is in love with the Negroes' enemies and would like bring one of the enemies. I have often stated that the present leadership of the so-called Negroes, both political and spiritual, are blind, deaf and dumb to the knowledge of self, blind, and are more harmful to the love, unity, justice and freedom and equality of their own people. If the blind, deaf and dumb cannot see, hear and speak for himself how can he see, hear and speak for others who are blind, deaf

and dumb?

Marshall's speech Blasted

Take for example, the speech Thurgood Marshall made to Princeton University students on Oct. 21, which was published in the Nov. 3 issue of Jet Magazine. The U. S. News and World Report and other news sources. One would think that Mr. Marshall would be in sympathy with freedom, justice and equality for the so-called Negroes, for equal justice (the same equal rights), equal education, good homes and good friendship in all walks of life, as a seeker of general advancement for the so-called Negroes. But the weight of his speech, slanderous remarks and false charges made indirectly against me and my followers, proved otherwise.

Mr. Marshall calls us "a bunch of thugs organized from prisons and jails, and financed by some Arab group, and that our movement presents a real threat to law enforcement agencies." These charges are completely false. I am ready to prove that they are false and will prove that Mr. Marshall is the most unjust and worst enemy of all to the real cause of freedom, justice and equality for the so-called Negroes in America. The intelligent Arab Nation would not finance a bunch of so-called Negro thugs. I have no knowledge of what other Nations are doing in America and I am only speaking for my group (followers). We are not and have not received not as much as a penny from the Arab Nation, nor any other than ourselves.

Not Opposed To NAACP

We have not been opposed to the NAACP's cause for the advancement of the so-called Negroes. Only we feel that the NAACP should have as its head a Black Man, and that the organization should not at this late date seek integration of the Negroes and the Whites, but rather separation from this people — which is

the only solution to this 400 years old problem. Seeking closer relationship between the slaves and their masters only will prove the total destruction of the Negroes by the white slave masters, children seeking love and equal recognition among this people is the most foolish and ignorant thing that a Negro leader could do in this late date. It would eventually prove the total destruction of us as a people.

Mr. Marshall
Mr. Marshall
Mr. Marshall
Mr. Marshall
Mr. Marshall
Mr. Marshall
Mr. Marshall
Tele. Room
Mr. Hall
Miss Gandy

b7C

5-

NEW JERSEY HERALD NEWS, NEW

DATE: WK, ENDING SAT. DEC. 5

EDITION:

AUTHOR OF ARTICLE:

EDITOR OR EDITORIALS:

TITLE:

CLASSIFICATION OF CHARACTER:

SUBMITTING OFFICE: NEWARK, N

162-86660-1
DEC 17 1955

306

in Love With The White Race

Thurgood Marshall does not care for the recognition of his kind (the Black Nation). He is in love with the White race. He hates the preaching of the uplifting of the Black Nation, unless it is approved by the white race, and he is totally against his brother Negro ever thinking of being the supreme. Mr. Marshall, we, the Black Nation of Islam, will be the supreme rulers in the hereafter. That I can prove with the truth. You do not have to be numbered with us. The Negroes being without justice under the slave-masters for 400 years should be seeking love and friendship among their own kind and they would be recognized as a people who have some sense. I am by no means interested in what the White man is doing for their people.

It is my people that I am interested in. I think the White man is wise in trying to preserve his civilization, and all nations should do the same. I want the same for my people. I want some earth for them and by the help of Allah, I will get it as Moses got some for the Hebrews.



Africa Isn't Marshall's Business

By ROBERT C. RUARK

NAIROBI — The intrusion of Thurgood Marshall, the chief counsel for our National Association for the Advancement of Colored People, into the muddled mess between Great Britain and its colony, Kenya, seems to me to be meddling of the highest order.

What happens between Kenya and England at the current constitutional conference in London is none of America's official business, and it certainly is none of Dr. Marshall's business. But, nevertheless, he is an official adviser to the African group.

The situation is ridiculous. Dr. Marshall was out here for only a couple of days. He is not an African. He is an American, and a mostly white one, at that. If he knows anything about Africa or Africans he read it somewhere.

A LOUD BUT

But here is this American Negro saying out loud that somebody else's government may be subject to revolt if his pressure group of irresponsibles doesn't get what it wants in the way of complete control of the country. I can understand the hellwether, Tom Mboya, saying that in one of his usual threatening moods, but it sounds funny coming from a sophisticated American lawyer who wouldn't know a falls berdman from a whistling thorn.

"The new group in Africa know exactly what they want," Dr. Marshall is quoted as saying in London. "They want independence now—tomorrow is too late."

This "new group" Dr. Marshall mentions is composed of Marshall, Mboya, and a handful of other self-seeking politicians, plus their captive voters in a few cities. They compose a fraction of the six million Kenyan population. A good two-thirds of this population never heard of Tom Mboya or "uhuru"—freedom—let alone Dr. Marshall or the NAACP.

I have just finished a back breaking 2500-mile sound trip by jeep to Moga-

disu in Somalia, up via Garissa in the northern frontier of Kenya, and I dare say I saw more actual Africans on that one trip than the glib Mr. Mboya has seen since he became a politician instead of a sewerage inspector.

I do not quarrel with the right of the African to try to overthrow the vested interests of the European, to quarrel and fight and kill and steal among themselves, or to attempt to enslave a majority by a political minority. It's their property.

But it jolly well is not Dr. Thurgood Marshall's land. An American isn't supposed to get mixed up in other peoples' revolutions as an active participant.

Tolson —
Mohr —
Parsons —
Belmont —
Callahan —
DeLoach —
Malone —
McGuire —
Rosen —
Tamm —
Trotter —
W.C. Sullivan —
Tele. Room —
Ingram —
Gandy —

The Washington Post &
Times Herald
The Washington Daily
The Evening Star
New York Herald Tribune
New York Journal-American
New York Mirror
New York Daily News
New York Post
The New York Times
The Worker
The New Leader
The Wall Street Journal
Date _____

NOT RECORDED
117 FEB 6 1960

1960

560

349 Jan 15, 1962
NAIROBI

THE NATION, NAIROBI, KENYA, January 15, 1962 17

Members' plan supported INDEPENDENCE DUE NOW, SAYS U.S. ADVISER

MR. BURROGD MARSHALL, a United States lawyer who is travelling to London as consultant to the African Member States at the Kenya constitutional conference, said in Nairobi yesterday that independence and freedom for Kenya was due now. "I do not want to say it is overdue, because I do not believe in living in the past," he added.

Mr. Marshall was accompanied by Mr. T. J. Allaway (Northern Rhodesia) and Dr. J. G. Kumbo (Central African South). They met the delegation of Mr. Marshall's African colleagues at the conference was a detail that would have to be worked in London.

Mr. Marshall said he was in complete agreement with the African Member States' proposal for the African Member States.

Asked if he would agree with the application of this principle to the African Member States of Kenya as well as to the Highlands, Mr. Marshall said he thought his statement was broad enough to cover any place.

Origin unimportant

Asked if he would agree with the application of this principle to the African Member States of Kenya as well as to the Highlands, Mr. Marshall said he thought his statement was broad enough to cover any place.

Mr. Marshall added that he knew there were some places where land ownership was restricted to local residents, but he did not think the Highlands or any other land should be restricted on the basis of race.

Mr. Marshall said that much that had been learned about the need to protect minority rights in the United States could be considered in Kenya with regard to the best to do it.

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Complete agreement

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Federal Bureau of Investigation
Records Branch

, 19__

☐ Name Searching Unit - Room 6527
☐ Service Unit - Room 6524
☐ Forward to File Review
☐ Attention _____
☐ Return to _____

Supervisor Room Ext.

Type of References Requested:

☐ Regular Request (Analytical Search)
☐ All References (Subversive & Nonsubversive)
☒ Subversive References Only
☐ Nonsubversive References Only
☒ Main *files* References Only
& Summaries

Type of Search Requested:

☐ Restricted to Locality of _____
☐ Exact Name Only (On the Nose)
☐ Buildup ☐ Variations

Subject *Thurgood Marshall*
 Birthdate & Place *7/2/08 Baltimore, Md.*
 Address *Box 211060*

Locality

Re *8-379* Date *10/21* Searcher Initials *318*
 Prod. *9 to min*

FILE NUMBER

SERIAL

*44-1546**44-10894**62-86660**62-86660-20 Sum 5/28/57**13 Sum 2/8/57 21 Sum 7/16/58**18 Sum 12/18/56 23 Sum 10/18/47**5 Sum 12/15/56**ref - no invst.**11/1/54*

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570

XXXXXX
XXXXXX
XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

1 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

Deletions were made pursuant to the exemptions indicated below with no segregable material available for release to you.

Section 552Section 552a☐ (b)(1)☐ (b)(7)(A)☐ (d)(5)☐ (b)(2)☐ (b)(7)(B)☐ (j)(2)☐ (b)(3)☐ (b)(7)(C)☐ (k)(1)☐ (b)(7)(D)☐ (k)(2)☐ (b)(7)(E)☐ (k)(3)☐ (b)(7)(F)☐ (k)(4)☐ (b)(4)☐ (b)(8)☐ (k)(5)☐ (b)(5)☐ (b)(9)☐ (k)(6)☐ (b)(6)☐ (k)(7)

☐ Information pertained only to a third party with no reference to the subject of your request.

☐ Information pertained only to a third party. The subject of your request is listed in the title only.

☒ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

_____ Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

_____ Page(s) withheld inasmuch as a final release determination has not been made. You will be advised as to the disposition at a later date.

_____ Pages were not considered for release as they are duplicative of _____

☐ For your information: _____

☒ The following number is to be used for reference regarding these pages:

62-86660-24

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 X DELETED PAGE(S) X
 X NO DUPLICATION FEE X
 X FOR THIS PAGE X
 XXXXXXXXXXXXXXXXXXXXXXXX

FBI/DOJ

571

MAILED
OCT 2 1960
NAME CHECK

October 26, 1960

0
THURGOOD MARSHALL

In response to your specific request for the results of any investigation conducted concerning the captioned individual, wherein information of a subversive nature was developed, you are advised that no such investigation has been conducted by this Bureau. However, you are referred to a memorandum possibly relating to the subject of your inquiry which was furnished to the Department of State on November 18, 1954. (62-86660-5)

ORIGINAL AND ONE to STATE (SY/P)
Request received: 10/20/60

(4)

b7c

NOTE:

State Department requested urgent handling as subject member of group representing civil rights scheduled to visit Prime Minister of Malaya in New York City. State advised and concurred that inasmuch as very meager background data furnished, search could be limited to results of any Bureau investigation concerning captioned individual where information of a subversive nature was developed.

REC-25 62-86660-25
EX-121 28 1960 b7c

52 NOV 2 1960

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI, and is loaned to your agency; it and its contents are not to be distributed outside your agency. This is in answer to your request for a check of FBI files.

MAIL ROOM

572

Tolson ☒
 Parsons ☒
 Mohr ☒
 Belmont ☒
 Callahan ☒
 Conrad ☒
 DeLoach ☒
 Evans ☒
 Malone ☒
 Rosen ☒
 Tavel ☒
 Trotter ☒
 W.C. Sullivan ☒
 Tele. Room ☒
 Ingram ☒
 Gandy ☒

b7c

Ed
 file 5 M052
 Donahue

UPI-205

(AFRICA)

WASHINGTON--PRESIDENT KENNEDY TODAY NAMED THURGOOD MARSHALL, PROMINENT NEGRO ATTORNEY FROM NEW YORK, AND MRS. GARY MARSHALL, A LECTURER ON AFRICA, AS HIS PERSONAL REPRESENTATIVES TO THE SIERRA LEONE INDEPENDENCE CELEBRATION AT FREETOWN, APRIL 27.

THE UNITED STATES HAS SENT FREETOWN A MOBILE X-RAY AND MEDICAL CENTER AS AN INDEPENDENCE DAY GIFT, THE WHITE HOUSE ANNOUNCED. MARSHALL, A PROMINENT MEMBER OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, WILL CARRY A PERSONAL GIFT FROM KENNEDY TO PRIME MINISTER MARGAI.

MRS. MARSHALL IS A SISTER OF SEN. WAYNE MORSE, D-OR., AND SHE IS THE HEAD OF THE GEOGRAPHY DEPARTMENT AT THE UNIVERSITY OF PITTSBURGH. SHE AND MARSHALL WILL LEAVE NEW YORK SATURDAY ON A SPECIAL AIR FORCE PLANE.

"THEY CARRY WITH THEM A PERSONAL MESSAGE FROM THE PRESIDENT TO THE GOVERNMENT OF SIERRA LEONE AND THE WARMEST WISHES OF THE AMERICAN PEOPLE TO THE PEOPLE OF SIERRA LEONE ON THIS MOMENTOUS OCCASION," THE WHITE HOUSE SAID.

4/20--N545PES

EC-73

NOT RECORDED
 191 MAY 10 1961

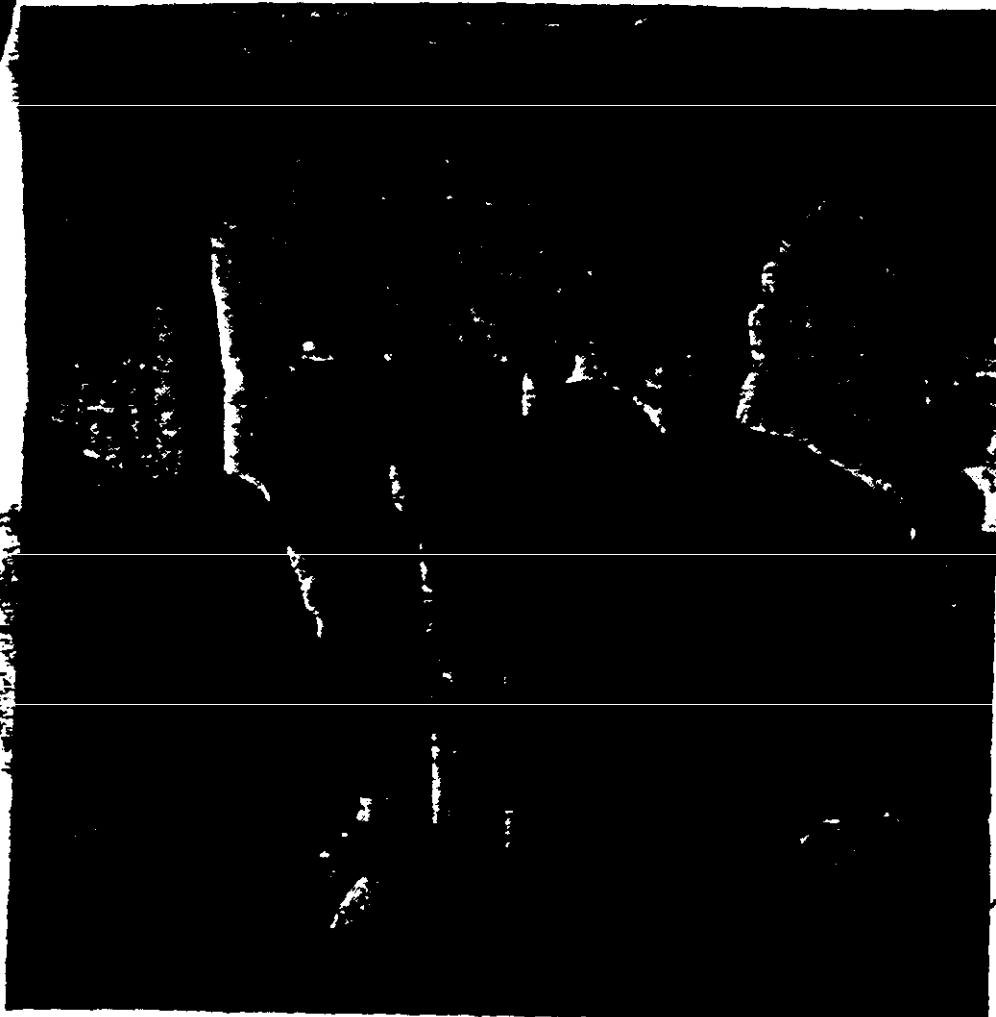
66 MAY 15 1961

WASHINGTON CAPITAL NEWS SERVICE

EX-115

573

Tolson
DeLoach
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Rosen
Sullivan
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Trotter
Tele. Rm.
Holmes
Gandy



A2
INFORMAL CHAT — Attorney General Ramsey Clark talks in the Justice Department with Thurgood Marshall, first Negro to win Senate confirmation for the Supreme Court. Marshall, who had been Solicitor General, was approved 68-11 by the Senate. He will fill a vacancy created by the resignation from the high court of Tom Clark, father of the Attorney General. Their meeting took place yesterday.

The Washington Post
Times Herald
The Washington Daily
The Evening Star (Was)
The Sunday Star (Was)
Daily News (New York)
Sunday News (New York)
New York Post
The New York Times
The Sun (Baltimore)
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World

Date **SEP 1**

TOP CLIPPING
DATED **9-1-67**
FROM **[REDACTED]**
MARKED FILE AND INITIALS
SEP 29 1967

NOT RECORDED
128 SEP 27 1967

571

Tolson _____
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SNCC Raps Appointment Of Marshall

ATLANTA, Aug. 31 (UPI)—The Student Nonviolent Coordinating Committee (SNCC) said today Thurgood Marshall's appointment to the Supreme Court will "further white supremacy and mislead blacks."

Ralph Featherstone, program director of the militant Negro group, also accused President Johnson of nominating Marshall "to prevent two Jews from holding seats on the Supreme Court" at the same time.

He said former Justice Arthur J. Goldberg was promoted his seat back when he completed a tour as United Nations ambassador.

But with Justice Abe Fortas, also Jewish, appointed while Goldberg was at the UN, Featherstone said, the President was faced with the problem of setting the "precedent of two Jews on the bench and furthermore upsetting the liberal-conservative balance" on the court.

He said the appointment of Marshall solved the "Jewish problem" and served to "pacify the masses of black people."



The Washington Post _____
Times Herald _____
The Washington Daily News _____
The Evening Star (Washington) _____
The Sunday Star (Washington) _____
Daily News (New York) _____
Sunday News (New York) _____
New York Post _____
The New York Times _____
The Sun (Baltimore) _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____

b7c

Date SEP 1 1967

NOT RECORDED
128 SEP 27 1967

file - 5
371

FBI

Date: 5/20/68

Transmit the following in PLAINTEXT

(Type in plaintext or code)

Via TELETYPEURGENT

(Priority)

TO: DIRECTOR, FBI

FROM: SAC, WFO (157-1395)

POCAM, -RM, -OO:WFO.

[REDACTED] NEGRO BORN [REDACTED]

[REDACTED] TELEPHONICALLY
CONTACTED WFO MAY NINETEEN, LAST, AND WAS SUBSEQUENTLY
INTERVIEWED SAME DATE.

[REDACTED] ADVISED AFTER ATTENDING MEETING [REDACTED] ANNAPOLIS
MARYLAND, [REDACTED] LAST, SHE OVER HEARD A [REDACTED]

[REDACTED] MAKE FOLLOWING COMMENT: THERE WAS A RUMOR THAT THERE
WAS A LIST OF NEGROES WHO WERE TO BE KILLED. [REDACTED] DID
NOT KNOW THE SOURCE OF RUMOR AND FELT POSSIBLY [REDACTED]
DID NOT KNOW EITHER. THE NAMES [REDACTED]

[REDACTED] AND THURGOOD MARSHALL WERE MENTIONED. [REDACTED]

④ - Bureau
- WFO

NOT RECORDED
162 MAY 28 1968

(5)

54 JUN 1968

Special Agent in Charge

Sent _____ M Per _____

576

F B I

Date:

Transmit the following in _____

(Type in plaintext or code)

(Priority)

WFO 157-1395

PAGE TWO

STATED SHE KNOWS [REDACTED] AND IN VIEW OF LARGE NUMBER OF PEOPLE
IN WASHINGTON, D.C. DECIDED TO PASS SAME ON TO FBI. [REDACTED]
HAD BEEN DRINKING PRIOR TO INTERVIEW BUT SPOKE COHERENTLY.
EFFORTS TO CONTACT [REDACTED] THIS P.M. ASCERTAINED SHE AND
HUSBAND OUT OF TOWN. EFFORTS TO INTERVIEW WILL CONTINUE.

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____

577

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATION SECTION

SEP 24 1968

TELETYPE

FBI WASH DC

FBI ATLANTA

1226PM URGENT 9-24-68 LCS

TO DIRECTOR

FROM ATLANTA 100-

U.S. SUPREME COURT JUSTICE THURGOOD MARSHALL, SPEAKING
ENGAGEMENT AT UNIVERSITY OF GEORGIA, SEPTEMBER TWENTYEIGHT,
NINETEEN SIXTYEIGHT. INTERNAL SECURITY (INFORMATION CONCERNING).

REMYTEL SEPTEMBER TWENTYTHREE SIXTYEIGHT.

SOURCE FURNISHING MARSHALL'S ITINERARY SET FORTH IN
RE TEL WAS IN ERROR.

UNIVERSITY OF GEORGIA, ATHENS, GA., ADVISED SEPTEMBER
TWENTYFOUR, SIXTYEIGHT, MARSHALL TO ARRIVE AT ATLANTA
AIRPORT DURING EVENING SEPTEMBER THIRTY, SIXTYEIGHT,
WHERE WILL BE MET BY LAW SCHOOL STUDENT OF
UNIVERSITY OF GEORGIA, AND DRIVEN BY AUTOMOBILE TO
ATHENS, GA., WHERE HE IS TO SPEAK BEFORE LAW SCHOOL GROUP AT
GEORGIA CENTER FOR CONTINUING EDUCATION, IN ATHENS, GA., AT
EIGHT THIRTY PM, SEPTEMBER THIRTY. MARSHALL IS PLANNING TO
SPEND NIGHT IN ATHENS; HOWEVER, NO OTHER PLANS ARE KNOWN.

REC-42

END PAGE ONE

25 SEP 25 1968

EX-100

61 OCT 1 1968

Mr. Tolson
Mr. DeLoach
Mr. Mohr
Mr. Bishop
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

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PAGE TWO

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██████████ STATED POSSIBLE MAY BE SMALL DEMONSTRATION IN CONNECTION WITH MARSHALL'S VISIT, POSSIBLY BY STUDENTS FOR A DEMOCRATIC SOCIETY (SDS), HOWEVER, NO PLANS KNOWN AT PRESENT TIME FOR ANY DEMONSTRATION.

IT IS NOTED THAT AT TIME SECRETARY OF STATE DEAN RUSK VISITED UNIVERSITY OF GEORGIA ON MAY THREE SIXTYEIGHT APPROXIMATELY TWO HUNDRED AND FIFTY STUDENTS PICKETED DURING HIS VISIT. AT TIME OF RUSK'S VISIT, THE SOUTHERN STUDENTS ORGANIZING COMMITTEE (SSOC) WAS HOLDING A TWO DAY CONVENTION IN ATHENS, AT WHICH TIME SDS WAS HOST FOR GROUP.

ALTHOUGH THERE IS NO SSOC CHAPTER AT UNIVERSITY OF GEORGIA, IT IS NOTED SSOC CONSIDERS ITSELF A FRATERNAL ORGANIZATION OF SDS.

THE LOCAL ATHENS, GEORGIA, PAPER HAS IN PAST FEW DAYS CARRIED A SMALL ANNOUNCEMENT OF MARSHALL'S PLANS TO APPEAR BEFORE LAW SCHOOL GROUP; HOWEVER, NO DEFINITE SCHEDULE ANNOUNCED.

END PAGE TWO

579

PAGE THREE

ALL LOGICAL SOURCES IN ATHENS, AS WELL AS OTHER POINTS
IN STATE, ARE BEING ALERTED FOR RECEIPT OF ANY INFORMATION
REGARDING PLANS TO PICKET DURING MARSHALL'S VISIT AND
BUREAU WILL BE IMMEDIATELY NOTIFIED UPON RECEIPT OF ANY
PERTINENT INFORMATION.

END

~~CORR: PG. 1, LINE 8...DELETE PERIOD AFTER "GEORGIA"~~

END

NKA

FBI WASH DC

P

208 11 19 11 11

580

b7c

CODE

2/14/69

TELETYPE

URGENT

SENT BY ADDITIONAL TELETYPE

1 - [REDACTED]

TO SAC SAN JUAN

FROM DIRECTOR FBI

REPORTED DEMONSTRATION AGAINST SUPREME COURT JUSTICE
THURGOOD MARSHALL, ST. THOMAS, VIRGIN ISLANDS, MARCH SIXTEEN,
NEXT, INFORMATION CONCERNING.

RE SAN JUAN TELETYPE MARCH FOURTEEN, INSTANT, CAPTIONED
AS ABOVE.

SAN JUAN ASSURE THAT JUSTICE THURGOOD MARSHALL HAS BEEN
PROPERLY ADVISED OF DEMONSTRATION POTENTIAL MENTIONED IN
REFERENCED TELETYPE.

(3) [REDACTED]

NOTE:

Supreme Court Justice Thurgood Marshall is in Virgin
Islands and scheduled to speak at College of Virgin Islands 3/1
Rumors are that demonstration will occur when Marshall appears
at previously mentioned college. Teletype utilized due to urge
nature of this.

REC 17 62-86660-28

b7c

20 MAR 17 1969

Tolson _____
DeLoach _____
Mohr _____
Bishop _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

VIA TELETYPE
MAR 14 1969
ENCIPHERED

MAIL ROOM ☐ TELETYPE UNIT ☐

b7c

30

VIA TELETYPE

MAR 14 1969

ENCIPHERED

MR 5 5:36 PM AST URGENT 3-14-69 JEB
TO DIRECTOR (CODE)
FROM SAN JUAN (62-NEW) 2P

REPORTED DEMONSTRATION AGAINST SUPREME COURT JUSTICE
THURGOOD MARSHALL, ST. THOMAS, VIRGIN ISLANDS, MARCH SIXTEEN
NEXT, INFORMATION CONCERNING.

[REDACTED] ASSOCIATED PRESS, ST. THOMAS,
ADVISED THAT HE HAD HEARD RUMOR IN ST. THOMAS THAT DEMONSTRATION
WILL OCCUR ON MARCH SIXTEEN NEXT WHEN SUPREME COURT JUSTICE
THURGOOD MARSHALL APPEARS AT COLLEGE OF VIRGIN ISLANDS, ST.
THOMAS, TO DELIVER SPEECH AT CHARTER DAY CEREMONIES. JUSTICE
MARSHALL ARRIVED IN ST. THOMAS ON MARCH THIRTEEN LAST.
HAD NO INFORMATION REGARDING NATURE, SIZE OR REASON FOR
DEMONSTRATION.

REC-123

62-86660-2

[REDACTED] ST. THOMAS, ADVISED HE HAD NO ADDITIONAL INFORMATION.
SECRET SERVICE, SEVEN HUNDRED SEVENTY FIRST MILITARY
INTELLIGENCE DETACHMENT, NAVAL INVESTIGATIVE SERVICE OFFICE,
END PAGE ONE

60523 11969

COPY SENT TO MR. TOLSON

BJ 62-NEW

PAGE TWO

**SAN JUAN, PUERTO RICO, OFFICE OF SPECIAL INVESTIGATIONS, RAMEY
AIR FORCE BASE, AGUADILLA, PUERTO RICO, AND U.S. ATTORNEY,
ST. THOMAS, HAVE BEEN FURNISHED ABOVE INFORMATION.**

**SAN JUAN ATTEMPTING TO DETERMINE IF BASIS FOR RUMOR
REGARDING DEMONSTRATION. POSITIVE INFORMATION WILL BE
IMMEDIATELY DISSEMINATED TO LOCAL POLICE AND INTELLIGENCE
AGENCIES. BUREAU WILL BE PROMPTLY ADVISED OF ANY DEVELOPMENTS.**
MEMO
LHM FOLLOWS.

END

WA...JDR

FBI WASH DC

200117 ES SI VI 11/11

583

FBI

Date: 3/17/69 b7c

Transmit the following in _____

(Type in plaintext or code)

A I R T E L

(Priority)

TO: DIRECTOR, FBI

FROM: SAC, SAN JUAN (62-) (RUC)

REPORTED DEMONSTRATION AGAINST SUPREME
COURT JUSTICE THURGOOD MARSHALL, ST.
THOMAS, VIRGIN ISLANDS, MARCH 16, 1969
INFORMATION CONCERNING
(OO:BJ)

Re San Juan and Bureau teletypes, 3/14/69.

On 3/15/69, [REDACTED]

[REDACTED] St. Thomas,
Virgin Islands, advised that Supreme Court Justice
THURGOOD MARSHALL, who is aware of rumored demonstra-
tions at dedicating ceremonies for the new Library
of the College of the Virgin Islands, would be pro-
vided plain-clothes police protection. Uniformed
officers would be on special alert but not at the
ceremony. b7c

2-d
On 3/16/69, [REDACTED] advised that the dedicating
ceremony had been conducted at the College of the
Virgin Islands without demonstrations. According to
Justice MARSHALL had conferred with the [REDACTED]
prior to the ceremony, and
as a result [REDACTED] cancelled the plan for a demonstra-
tion. No LHM follows.

3-Bureau
1-San Juan

62-86660-30

MAR 19 1969

Approved: 51 APR 1 1969
Special Agent in Charge

Sent _____ M Per _____

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE THURGOOD MARSHALL

January 29, 1982

Personal and Confidential

Dear Bill:

I hate to bother you and apologize for doing so but nevertheless here goes.

Enclosed is some sort of leaflet which came to my attention this afternoon. It is at least scandalous. I am sending it to you with the hope that you can give me some suggestion as to what can be done about it.

With best wishes.

Sincerely,

Thurgood Marshall

Honorable William H. Webster
Director
Federal Bureau of Investigation
Washington, D.C. 20535

b7c

62-1000000-1

585

How to Write Dirty

by Justice Thurgood Marshall



Thurgood Marshall, the first black appointee to the U.S. Supreme Court, tells you how to write dirty.

One of the most time-consuming tasks a Supreme Court justice performs is reading through mounds of pornographic material, to determine if it is protected by the First Amendment right to freedom of speech. The Court has ruled that such material is protected only if it possesses "redeeming social value."

What is "redeeming social value"? To me, it is something that puts "lead" in your "pencil." Pops a "bone of contention" in your "legal briefs." In other words, something that makes your pecker stand up and say the Pledge of Allegiance.

Of course, it takes some hot and steamy writing to get a rise out of a few of those old droopy drawers on the Supreme Court. But don't despair; just follow my simple Marshall Plan for How to Write Dirty. Soon, you'll be able to crank out pornography that a judge will want to review in his chambers time and again. That judge is me.

Keep the reader in mind

How would you like to read a book entitled *A Man Called Homo* or *My Girl Friend Flicka*? Well, I've read them, and they're terrible. Seems too many pornographers these days write stories that appeal only to homos,

hormes, or other degenerates. They have forgotten that the typical reader of dirty books is a normal, heterosexual, black, elderly Supreme Court justice.

To write dirty well, pick topics your audience will be interested in, like fellatio, blow jobs, and white women. Especially white women. They're my favorite. Oh, yeah.

Write what you know

A man once wrote a book entitled *I Was a Hooker on the Moon*. It did not have the ring of authenticity, and sold few copies. "You should write about what you know," I advised this aspiring author, who just happened to be Justice Felix Frankfurter. His next book, *Suck My Wiener*, was on Thurgood Marshall's Best-seller List for a full five months.

So write about subjects you are familiar with. If you are a mailman, write sexy stories about delivering the mail. If you are a homo, write stories about what your straight friends do. If you are a white woman, write to me. Here is my address: Thurgood Marshall, Supreme Court Building, Washington, D.C.

To illustrate the principle of writing what you know, I have composed the following example. It is based on a true incident—only the names have been changed slightly:

Handsome Thurgood X. was sitting in his chambers one day, reading *A Man Called Homo*. Suddenly, he was

interrupted by Sandra Day O., a distinguished white woman. "You certainly look foxy in your big, black robes," Sandra purred. "I've got something even bigger and blacker underneath," replied Thurgood.

Thurgood had always had a way with women—you could say he was a sort of Afro-disiac. Soor the two were lying on the bench, Thurgood preparing to enter Sandra's private chambers. "Here come da judge," he shouted, as his groin gavel banged away. Finally, they finished, furiously collapsing in the sweat of their ecstasy. "That was sure good, Thurgood," Sandra cooed.

"Oh, yeah," he replied.

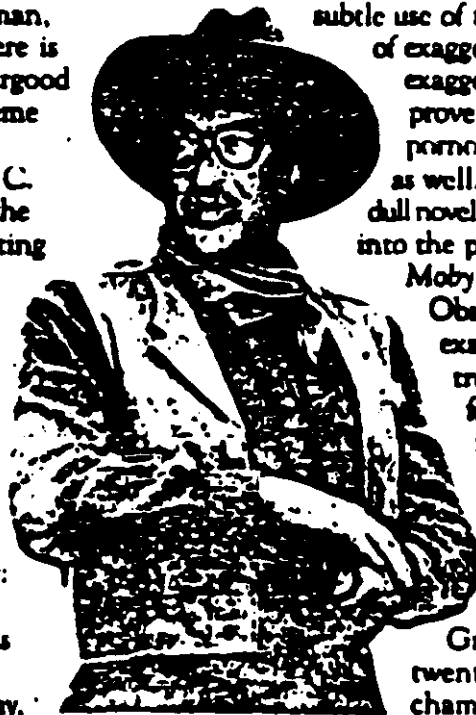
Don't be afraid to exaggerate

In my 200 years on the bench, I have handed down judgments so brilliant that the Statue of Justice once came to life, ran off her pedestal, and gave me a big wet kiss on the lips.

Of course, most of this story is not true, but is actually a subtle use of the principle of exaggeration. Clever exaggeration can prove quite useful in pornographic stories, as well. It can turn a dull novel like *Moby-Dick* into the porn classic *Moby Huge Dick*.

Observe how exaggerating the truth makes the following story a million times more interesting:

Thurgood was sitting in the New York State Bar and Grill, finishing his twentieth bottle of champagne. He had just returned from Washington, flushed with his victory in the



Marshall Thurgood Marshall declares Marshall law on those sadwomn pulectas who write boring pornography.



After circulating a copy of Playboy during a disbarment trial, Justice Marshall proudly declares: "I call this magazine Exhibit A—for Fornication."

case *Brown v. Ten Boards of Education*. Suddenly, a beautiful woman, with bosoms the size of watermelons, walked into the bar.

"Don't be impartial, Mr. Marshall," she implored. "Take me, take me now." In half a second, they were both naked. "I had no idea they'd painted the Empire State Building black," she gasped. "That's not the Empire State Building," Thurgood replied, "that's my fifty-two inches of manhood." With one motion, Thurgood thrust his entire Shaft into her awaiting body. Three hundred orgasms later, they finished.

"That was great," she purred. "Just wait'll I send my ninety-three teenage sisters to see you." All in all, it was a typical day.

Edit yourself

There's an old joke that runs something like this: "A sexually inexperienced couple are on their honeymoon. Not sure what to do, the husband asks his wife for advice. 'Stick it in,' she commands. 'Now pull it out. Stick it in. Pull it out.'" I forget the punch line to this anecdote, but it hardly matters—we've already heard the good part.

Similarly, careful editing can improve your writing. Who wants to read a boring law book when the Cliffs Notes will do just as well? In the following example, a fine pornographic story is made even better by carefully editing out the less essential passages:

Handsome Thurgood X—was sitting in his chambers one day, reading *A Man Called Horse*.

Sandra Day O—, a distinguished-white woman. "You certainly look foxy in your big, black robes," Sandra purred. "I've got something even bigger and blacker underneath," replied Thurgood.

Thurgood had always had a way with women—you could say he was a sort of Afro-disiac...

Humor your audience

One day, I mistakenly broke into Lyndon Johnson's bedroom while Lady Bird was preparing to give him a blow job. To mask my embarrassment, I made a couple of ribald jests. First I turned to Lady Bird and quipped, "I guess you put the BJ in LBJ." Then I pointed to the president's groin, and added, "Boy, you sure got a big Johnson, Lyndon." LBJ was so amused by these remarks, and so eager to get me out of the room, that he appointed me to the Supreme Court.

Just as a few great jokes helped my judicial career, so can they help you with your dirty-writing career. Check out this example:

The justices and I were sitting in closed session, deliberating. Suddenly, who should walk in but

Justice Byron White's wife, Lucy. You sure make me juicy, Ms. Lucy," I quipped. "I love Lucy," I added, elbowing Byron in the ribs. I was on a roll now, so I turned to Justice Harry Blackmun and hollered, "I'm the real hairy black man around these parts." This prompted Chief Justice Burger to call for order. In response, I whipped open my robe (I had nothing on underneath) and said, "Hey, Chief Justice Cheeseburger, did you order this big black whopper?"

All the justices excused themselves and returned to their chambers, unable to match my brilliant repartee. I was alone in



Summing an oash on his personal "Bible for Swingers," Thurgood Marshall confesses that he is a porn-again Christian.

the room, except for Lucy, whose arm I had a firm grip on. "Baby, you sure got big torts," I joked, "and there ain't nothing I like better than White's woman." The I screwed her eighty-seven times.

The defense rests

Well, I hope you liked my helpful tips on how to write dirty. So, if you follow my rules, the next time you pop up in court on an obscenity charge, maybe something on me will pop up too. Oh, yeah.

Thurgood Marshall

Years ago, International Porno sponsored a series of advertisements reading "Send me a man who reads pornography on the job, and I'll show you a man who's hard at work."

To tell the public that a dirty picture is not worth a thousand dirty words, International Porno decided to run a new series of advertisements extolling the values of pornography. We selected columns from diaries of celebrities, including Luciano Pavarotti, Dick Cavett, Mirey Amsterdam, and Thurgood Marshall. Unfortunately, only Justice Marshall replied.

For reprints of this ad, send name, address, and proof of majority to International Porno, Inc., 635 Madison Avenue, New York, N.Y. 10022.

INTERNATIONAL PORNOGRAPHY

February 5, 1982

Honorable Thurgood Marshall
Associate Justice
Supreme Court of the United States
Washington, D. C. 20543

Dear Justice Marshall:

I have your letter of January 29th and am having the enclosure studied. I will be back to you shortly. I certainly agree with your characterization of it.

With warm regards,

Sincerely,

William H. Webster
Director

WHW 

b7c

See 1-3

385

DC-7

FROM

OFFICE OF DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

TO

OFFICIAL INDICATED BELOW

Mr. Colwell	_____	()
Mr. Mullen	_____	()
Mr. Otto	_____	()
Mr. Byss	_____	()
Mr. Greenleaf	_____	()
Mr. Finzel	_____	()
Mr. Kelleher	_____	()
Mr. McKenzie	_____	()
Mr. Mintz	_____	()
Mr. Monroe	_____	()
Mr. D'Malley	_____	()
Mr. Revell	_____	()
Mr. Stames	_____	()
Mr. Young	_____	()
Mr. Hollis	_____	()
Mr. Andrews	_____	()
Ms. Douglas	_____	()
Mr. Gents	_____	()
Tele. Room	_____	()
Miss Devine	_____	()

See Me	_____	()
Note and return	_____	()
Prepare reply and return for my signature	_____	()
Please Handle	<u>to Mr. [unclear]</u>	()
Respond over your signature	_____	()
Prepare memo for the Department	_____	()
For your recommendation	_____	()
What are the facts?	_____	()
Hold	_____	()

Remarks: _____

2/12/82

Judge:

I had Bureau and New York indices reviewed regarding International Porno, Inc., 635 Madison Avenue, New York, N. Y., the company mentioned in the box at the end of the article. Results were negative; however, the New York Office advised that an office building at 635 Madison Avenue had about 40 tenants, including the publishers of two magazines: National Lampoon and Heavy Metal.

I purchased the current (2/82) issue of 'National Lampoon' magazine (attached). Page 60 has the article in question.

Mr. Mintz reviewed the article, and we discussed it. No FBI jurisdiction is apparent. In addition, it is unlikely that Justice Marshall could successfully sue the publication because (1) he is a "public figure" and (2) despite the article's use of his name in the byline, the table of contents (page 2) lists the real authors.

○ My only suggestion is that you provide the magazine to Justice Marshall so that he may be aware of the context in which the article was printed.

b7c
cm
Charles P. Monroe

Enc.

1 - Mr. Mintz

2/12/82

To Mr. Mintz
please draft appropriate letter
to Justice Marshall for my sig.
LHM

1/6

b7c

9

590

1 - Mr. Mintz

February 18, 1982

FEDERAL GOVERNMENT

Honorable Thurgood Marshall
Associate Justice
Supreme Court of the United States
Washington, D.C. 20543

b7c

Dear Justice Marshall:

In further response to your letter of January 29, 1982, our review of the enclosure to your letter has identified it as an article published in the February, 1982, issue of the magazine, "National Lampoon," at page 60. The table of contents, appearing on page 2, indicates the article was by two persons named therein.

Our conclusion is that there does not appear to be a basis for FBI criminal investigation. I have been advised by our Legal Counsel that, as it appears the intended purpose of the magazine is to produce humor for publication regardless of quality or decency of the material and on its face the particular article is patently absurd, the article probably enjoys constitutional protection from private legal means of redress.

For your assistance, should you desire to pursue this matter privately, I will enclose a copy of the magazine.

62-86660-32

With warm regards,

9 FEB 19 1982

Sincerely,

15/ B. 11 b7c

William H. Webster
Director

Enclosure

(3)

32
110

Exec AD Inv. _____
Exec AD Adm. _____
Exec AD LES _____
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Adm. Servs. _____
Crim. Inv. _____
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Intell. _____
Lab. _____
Legal Coun. _____
Off. Cong. & Public Affs. _____
Rec. Mgmt. _____
Tech. Servs. _____
Training _____
Director's Sec'y _____

MAIL ROOM ☐

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Legal Coun. _____
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Rec. Mgmt. _____
Tech. Servs. _____
Training _____

See Note Page 2

~~FEDERAL GOVERNMENT~~

July 6, 1983

Honorable Thurgood Marshall
Associate Judge of the Supreme
Court of the United States
Washington, D. C. 20543

Dear Justice Marshall:

As Roger Young has already written to you, the end of July marks the FBI's 75th Anniversary, a very special event for us in the FBI. I'm sending you this short personal note in hopes that you will be able to join us at the Gala on the 23rd. We have a great evening lined up, including after-dinner remarks by Jimmy Stewart.

Please join us at the Hilton for a most enjoyable time in recognition of our Anniversary.

Sincerely,

Bill

William H. Webster
Director

NOTE: Letter prepared at request of AD Young as a follow-up to a select group who had not responded to the Gala announcement by July 6th. Signed Bill for [redacted]

(2)

2 AUG 10 1983

b7c

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Exec AD Inv. _____
Exec AD LES _____
Asst. Dir.:
Adm. Servs. _____
Crim. Inv. _____
Ident. _____
Insp. _____
Intell. _____
Lab. _____
Legal Coun. _____
Off. Cong. &
Public Affs. _____
Rec. Mgmt. _____
Tech. Servs. _____
Training _____
Off. Rm. _____

508

Honorable Thurgood Marshall

NOTE: Copy of the magazine was obtained as part of the effort to identify the material and to determine whether there was any basis for FBI investigation.

SEE: PAPISH V. UNIV. OF MISSOURI, 35 LEAD 618 (1973) [REDACTED]
SUPREME COURT (INCLUDING JUSTICE MARSHALL)
HELD A SATIRICAL CARTOON DEPICTING A POLICEMAN
RAPING THE GODDESS JUSTICE WAS CONSTITUTIONALLY
PROTECTED.

b7C

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

FROM : N. P. Callahan

DATE: *June 16, 1967**b7C***SUBJECT:** The Congressional Record

Pages HT341-HT343. Congressman ~~Wagner~~ *Wagner*, ~~of Louisiana~~ *of Louisiana*, spoke in opposition to the nomination of ~~Thurgood Marshall~~ *Thurgood Marshall* to the Supreme Court. He requested to have printed in the Record a speech by Congressman ~~Wagner~~ *Wagner*, ~~of Louisiana~~ *of Louisiana*, entitled The Communist Associations of Thurgood Marshall which appeared in the Congressional Record on July 15, and several news releases regarding this appointment. ~~Mr. Wagner~~ *Mr. Wagner* pointed out in the speech that "The Communist Daily Worker of November 24, on page 4, reported that Thurgood Marshall was among a group of attorneys who sent a telegram to New York Congressmen asking them to oppose the contempt citations in the case of the so-called Hollywood 10. As I say, this is at least a portion of the Communist front activity of the man the President has nominated to be Solicitor General of the United States. It is probable that a search of the files of the FBI, the Attorney General's office, the Senate Internal Security Subcommittee and an exhaustive search of the records of our own Committee on Un-American Activities would reveal more facts of this same nature."

62-86660-
RECORDED
JUN 23 1967

In the original of a memorandum captioned and dated as above, the Congressional Record for *JUNE 15, 1967* was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

FROM : SAC, NEW YORK

SUBJECT: JUDGE THURGOOD MARSHALL
SECOND CIRCUIT COURT OF APPEALS,
NEW YORK, NEW YORK

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. DeLoach
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

5/5/65

b7C

RECEIVED-DATE MR. TOLSON

On 5/3/65 former Assistant to the Director LOUIS B. NICHOLS called the NYO and advised that he recently had a telephone call from Judge THURGOOD MARSHALL, of the Second Circuit Court of Appeals. He stated he knows Judge MARSHALL on a personal basis. Judge MARSHALL asked Mr. NICHOLS if it was not a fact that agents of the FBI advise subjects of FBI interests of their constitutional rights in regard to whether or not they have to make a statement and their right to counsel. Mr. NICHOLS advised Judge MARSHALL that such was the case. Judge MARSHALL commented, "That's what I thought." He then added, "We have a couple of cases we are trying to decide here."

On 5/4/65 I called Judge IRVING KAUFMAN and advised him that I did not want to appear to be prying into the matters of the Circuit Court of Appeals, but I was desirous of protecting the interests of the Bureau in case there was any matter which could be the basis for criticism of Bureau personnel pending before the Circuit Court of Appeals. I then proceeded to tell Judge KAUFMAN about my conversation with LOUIS B. NICHOLS. He stated he would discreetly find out from Judge THURGOOD MARSHALL whether or not there were cases involving the FBI pending before the Circuit Court.

Judge KAUFMAN called back shortly after and stated that he had talked with THURGOOD MARSHALL and although he was not at liberty to identify the matters pending before the court, he stated there was absolutely nothing to be concerned about. Judge KAUFMAN inquired of the Bureau for instructions to agents in regard to advising subjects of their constitutional rights in regard to making statements and of their right to attorneys. I read the pertinent portion of the handbook to Judge KAUFMAN. Judge KAUFMAN asked whether or not it would be possible for Judge MARSHALL to quote the Bureau's instructions in his opinion if necessary. I told Judge KAUFMAN that I thought it would be well if

2 - Bureau
New York
58 MAY 10 1965

PERS. REC. UNIT

5 MAY 10 1965

CRIME

Letter to Director
RE: JUDGE THURGOOD MARSHALL

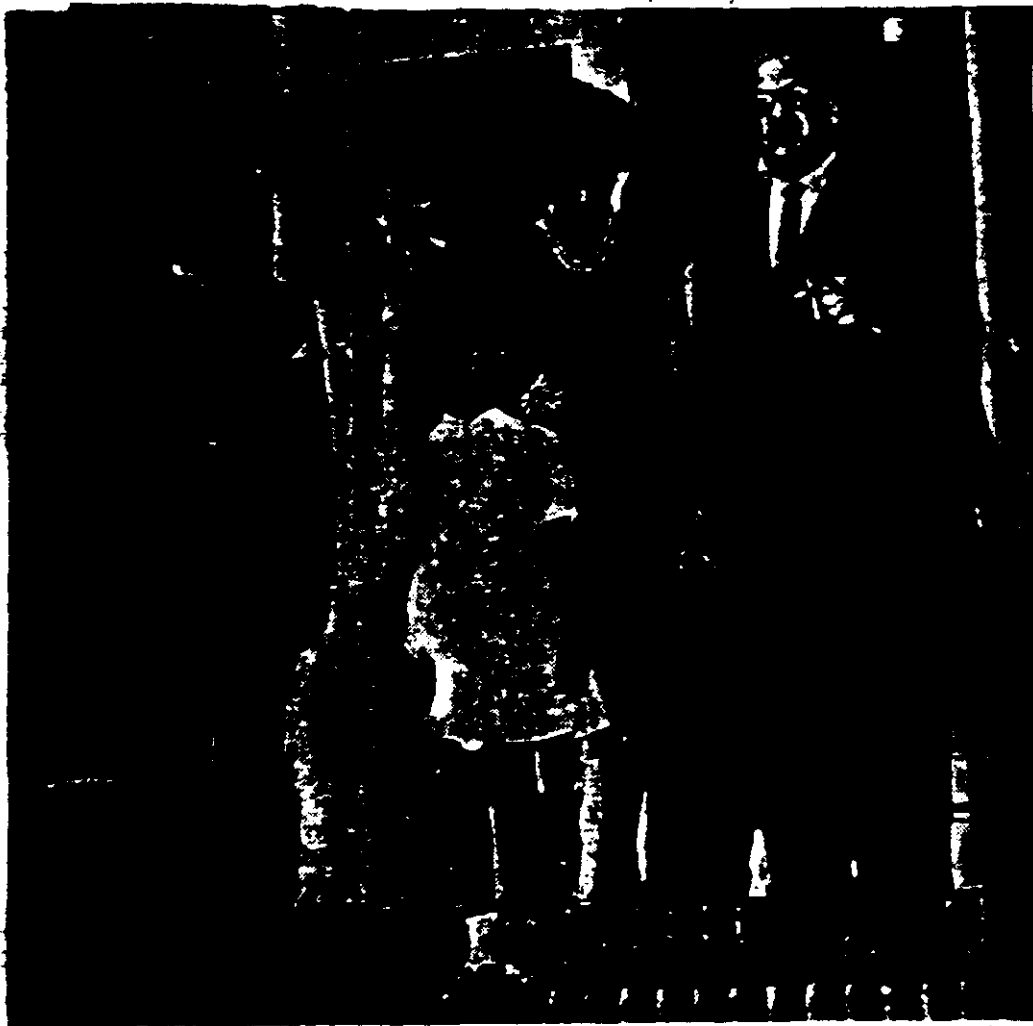
Judge MARSHALL felt he needed this information that he call me directly and I felt certain that it would be possible to quote our instructions to him.

Judge KAUFMAN again discussed the matter with Judge MARSHALL whereupon Judge KAUFMAN called back and stated that he had advised Judge MARSHALL of our instructions to agents in regard to signed statements and the right to counsel and Judge MARSHALL stated that this was all that he needed and there was no need for anything further.

Judge KAUFMAN advised that during the Annual Judicial Conference of the Second Circuit, which is meeting for three days beginning 5/11/65, he is scheduled to preside at a panel discussion on the question, "Have Recent Interpretations of the Individual's Constitutional Rights Unduly Hampered the Administration of Justice?". He inquired as to how long our procedure in instructions to agents in regard to signed statements and the right to counsel have been in effect and I told him they have been the rule as long as I have been in the Bureau. . He stated that in his opening remarks he plans to point out that the FBI has never had any problem in regard to the constitutional rights of the individual and then tell the conference of our procedures in regard to advising subjects of their constitutional rights.

(Mount Clipping in Space Below)

Integration Slowed By Those in Middle, Marshall Charges



On This Visit It's Judge Marshall

Thurgood Marshall (right), who helped represent plaintiffs in the 1957 Little Rock school desegregation case, returned as Judge Marshall Saturday. He is a member of the United States Court of Appeals, Second Circuit, at New York. He is shown leaving the Phyllis Wheatly YWCA with (from left) Rev. Henry L. Parker, vicar of St. Philip's Episcopal Church, Mr. C. Bates and Linda Fay Jeffries, a member of the Youth Council of the National Association for the Advancement of Colored People and the daughter of Mr. and Mrs. Luther Jeffries, neighbors of Mrs. Bates. Mrs. Bates was state NAACP president from 1957-61.

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. DeLoach
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

(Indicate page, name of newspaper, city and state.)

3A

Arkansas Gazette

Little Rock, Ark.

Date: 5/16/65
Edition: AM

Author:

Editor:

Title: THURGOOD MARSHALL
INTEGRATION MATTER

Character: RM

or

Classification: 62-153

Submitting Office: Little Rock

☐ Being Investigated

NOT RECORDED

46 JUN 10 1965

Full integration of races is lagging because of the apathy of the "so-called middle group of Americans who are neither of the far right or far left." Federal Judge Thurgood Marshall said at Little Rock Saturday.

Judge Marshall, the former chief counsel for the National Association for the Advancement of Colored People whose name before his appointment to the federal judiciary had become synonymous with the civil rights struggle, was at Little Rock to speak at a dinner commemorating the 80th anniversary of St. Philip's Church, an Episcopal mission at 919 Gaines Street.

Arriving at mid-afternoon, he met newsmen briefly at the Phyllis Wheatley YWCA, across the street from St. Philip's, then moved on to the Sam Peck Hotel where he was guest of honor at a reception given by members of the Pulaski County Bar Association. Several of his adversaries in the 1957 Little Rock school crisis, in which he figured prominently, were among those who went to the Sam Peck to greet him.

Within the moderate group of Americans, Judge Marshall said, is the church, which he said had a particular responsibility in the civil rights field — a responsibility he said they had, by and large, failed to carry out.

"All of this has been brought about by the fact that the federal courts over a period of years have decreed over and over that the Constitution means what it says, that recent presidents — Presidents Truman, Kennedy and Johnson — on behalf of the executive branch of government, have made it clear that these rights must be recognized and Congress is now moving toward the

same end, so that all three arms of government are moving — and still we don't have it," Judge Marshall said.

"The middle group has not done as much as it could do," he said.

The majority of the people of the South, he said, are "a religious, God-fearing people. I don't see how they can conceive that God made people different."

He thought churches should "go out into the community to see what they could do to bring about complete equality for all Americans."

Marshall said his elevation to the Second United States Court of Appeals at New York had removed him from the civil rights struggle. He declined comment on several questions that dealt with court cases or potential cases that eventually may appear in his court. He said the court had two cases now that dealt with the so-called "freedom of choice" school assignment plan, which Little Rock and numerous other cities have adopted.

As for Little Rock, Marshall

said he was sure that "progress into it more closely to see who would want, the answer, I'm
has been made but if we looked there there was as much as we sure, would be no."

Marshall Grilled by Senate Critics

But Signs Point To Easy Sailing For Court Post

By John P. MacKenzie
Washington Staff Writer

Thurgood Marshall, on his way to becoming the first Negro to serve on the Supreme Court, was grilled for an hour yesterday by hostile Southern Senators eager to show their disapproval of the Court and of Marshall's liberal record.

The cross-examination resumed at 10:30 a.m. today amid signs that President Johnson's nominees will sail through after opponents have vented their feelings.

Senate Judiciary Committee Chairman James O. Eastland (D-Miss.) and Sen. John L. McClellan (D-Ark.) tried without success to draw Marshall into a discussion of recent controversial Court decisions on the rights of suspects in criminal cases.

Marshall replied firmly that such a discussion would be improper because related constitutional issues are pending in the Court now. He agreed with McClellan that crime was a "critical" national problem.

No Recent Statements

The 59-year-old U.S. Solicitor General said he often had commented on Supreme Court rulings in the past but since his nomination June 13, "I haven't made any statements to anybody about anything."

Marshall conceded that he "never said I disagreed" with the Court's 5-to-4 decision restricting the use of confessions. But he reminded McClellan that he argued last year on behalf of the Justice Department that the Court should go no further than to require State police to warn suspects of their rights in accordance with longstanding FBI practice.

McClellan asked whether crime had risen to the level of a threat to "national security" and Marshall said he didn't know. McClellan, sponsor of legislation to authorize wiretapping and electronic eavesdropping, has been attacking the Johnson Administration's ban on "bugging" except in national security cases.

After McClellan repeatedly said he could not judge Marshall's qualifications on the basis of his testimony, Sen. Edward M. Kennedy (D-Mass.) and other supporters pointed to Marshall's career as chief legal counsel for the NAACP Defense Fund and his four years as a Federal judge.

Dissent Cited

Kennedy offered to supplement the record with samples of the nominee's legal briefs and speeches. McClellan said the record should include a Marshall dissent while on the 3d U.S. Circuit Court of Appeals urging that the Supreme Court's search-and-seizure rules apply retroactively. The Supreme Court later disagreed with Marshall.

Marshall was warmly introduced by Sen. Jacob K. Javits (R-N.Y.) and Sen. Robert F. Kennedy (D-N.Y.) who as Attorney General helped put Marshall on the Federal bench in 1951.

The Committee also held a 10-minute confirmation session for Warren M. Christopher, 41-year-old Los Angeles lawyer nominated for the post of Deputy Attorney General, but deferred action.

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JOHN L. McCLELLAN

Senate grills Supreme Court nominee

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THURGOOD MARSHALL

would not discuss Supreme Court

Hearing on Marshall Opens With Quizzing by McClellan

John L. McClellan, D-Calif., cross-examining Supreme Court nominee Thurgood Marshall closely on Marshall's views on criminal law, has received little satisfaction.

Marshall, the first Negro ever nominated for a seat on the high court, repeatedly declined yesterday to discuss matters that he insisted would be involved in "hundreds" of similar cases headed for the tribunal.

"I must say," McClellan stated, "it leaves me without the necessary information I need affirmatively to consent to your appointment. I haven't been able to get an answer that describes to me your views."

Approval Expected

Despite McClellan's opposition, it appeared that nomination of the 39-year-old U.S. solicitor general will sail comparatively smoothly through the Judiciary Committee and the Senate.

A number of other senators assumed to place themselves on record in support of the nomination after McClellan's series of questions.

The confirmation hearing, which opened yesterday, continues today. Sen. Strom Thurmond, R-S.C., is expected to question Marshall about civil rights matters.

McClellan's questions sought to bring out two points: whether Marshall agrees that crime has reached drastic proportions justifying new measures and whether Marshall agrees with recent 5-4 decisions by the Supreme Court that critics claim are hindering law enforcement.

Determination Voiced

"I am as alarmed as you are," Marshall told McClellan, "but I am equally determined that whatever is done by government agencies . . . be done within the framework of the Constitution."

In response to a question as to whether it is not "necessary sometimes in protecting our national security that we sacrifice some rights," Marshall said: "Not if it violates the Constitution."

The nominee declined to go further than this in response to more specific questions by McClellan, such as whether he subscribed to the "philosophy" of recent Supreme Court decisions limiting the admissibility of statements given by crime suspects who have not been fully warned of their rights.

Marshall referred McClellan to the government's brief filed by him in one of the recent cases, and Sen. Edward M. Kennedy, D-Mass., agreed to furnish briefs, speeches and articles by Marshall to the committee.

Drawing laughter from spectators in the crowded hearing room, Marshall himself said that "once the President announced the nomination, I haven't made any statements to anybody about anything."

Senators who appeared to line up in support of Marshall's nomination at today's hearing included Edward Kennedy, Thomas J. Dodd, D-Conn.; Philip A. Hart, D-Mich.; Birch Bayh, D-Ind.; Hiram L. Fong, R-Hawaii, and Roman L. Hruska, R-Neb.

Earlier, Senate Republican Leader Everett McKinley Dirksen, of Illinois, another committee member, predicted speedy approval of Marshall's appointment.

Marshall, who would succeed Justice Tom C. Clark, father of the new Attorney General Ramsey Clark, was presented at the hearing by Sens. Jacob K. Javits, R-N.Y., and Robert F. Kennedy, D-N.Y.

In addition to hearing testimony on Marshall's nomination,

senators were introduced to Los Angeles lawyer Warren M. Christopher, nominee for the post of deputy attorney general.

Few questions were asked Christopher, a longtime clerk to Supreme Court Justice William O. Douglas, and it appeared that his nomination was considered noncontroversial.

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People's World

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Thurgood Marshall beside his wife at the hearing.

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Marshall Grilled by Senate Critics

But Signs Point To Easy Sailing For Court Post

By John F. MacKenzie
 Washington Post Staff Writer

Thurgood Marshall, on his way to becoming the first Negro to serve on the Supreme Court, was grilled for an hour yesterday by hostile Southern Senators eager to show their disapproval of the Court and of Marshall's liberal record.

The cross-examination resumed at 10:30 a.m. today amid signs that President Johnson's nominee will sail through after opponents have vented their feelings.

Senate Judiciary Committee Chairman James O. Eastland (D-Miss.) and Sen. John L. McClellan (D-Ark.) tried without success to draw Marshall into a discussion of recent controversial Court decisions on the rights of suspects in criminal cases.

Marshall replied firmly that such a discussion would be improper because related constitutional issues are pending in the Court now. He agreed with McClellan that crime was a "critical" national problem.

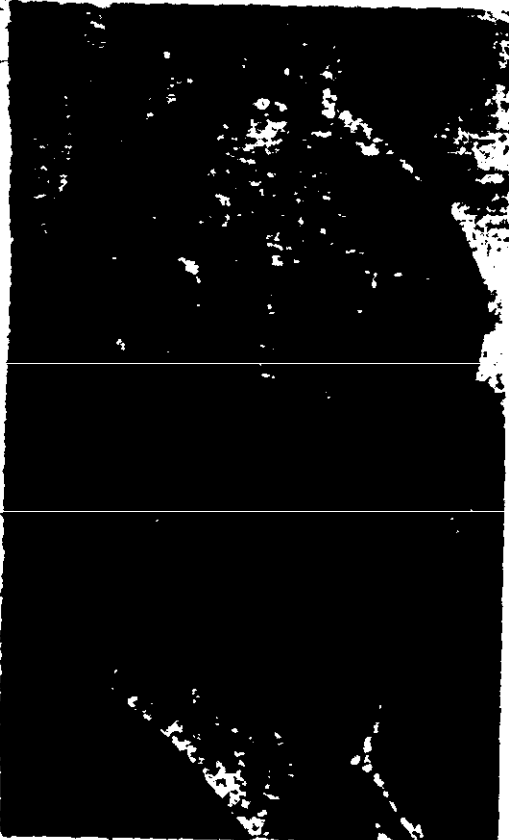
No Recent Statements

The 39-year-old U.S. Solicitor General said he often had commented on Supreme Court rulings in the past but since his nomination June 12, "I haven't made any statements to anybody about anything."

Marshall conceded that he "never said I disagreed" with the Court's 5-to-4 decision restricting the use of confessions. But he reminded McClellan that he argued last year on behalf of the Justice Department that the Court should go no further than to require State police to warn suspects of their rights in accordance with longstanding FBI practice.

McClellan asked whether crime had risen to the level of a threat to "national security" and Marshall said he didn't know. McClellan, sponsor of legislation to authorize wiretapping and electronic eavesdropping, has been attacking the Johnson Administration's ban on "bugging" except in national security cases.

After McClellan repeatedly said he could not judge Marshall's qualifications on the basis of his testimony, Sen. Edward M. Kennedy (D-Mass.) and other supporters pointed to Marshall's career as chief legal counsel for the NAACP, Defense Fund and his four years as a Federal judge.



SEN. JOHN L. MCCLELLAN
 Marshall grilled by opponent.

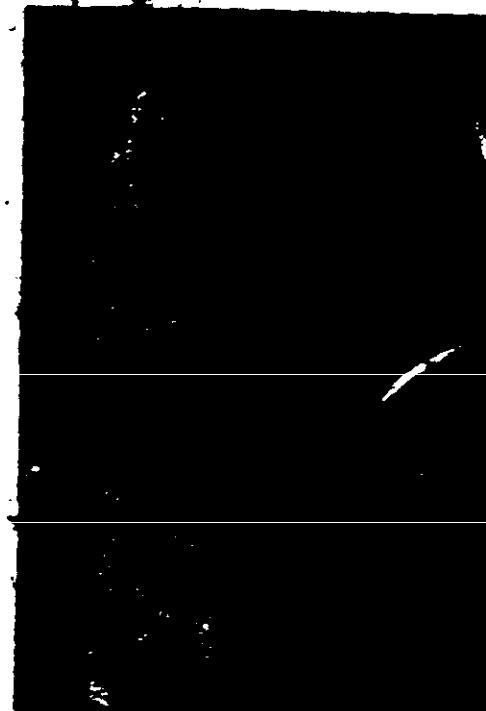


Photo by Walt McHenry—The Washington Post
THURGOOD MARSHALL

Would not discuss Supreme Court issues.

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Dissent Cited

Kennedy offered to supplement the record with samples of the nominee's legal briefs and speeches. McClellan said the record should include a Marshall dissent while on the 2d U.S. Circuit Court of Appeals urging that the Supreme Court's search-and-seizure rules apply retroactively. The Supreme Court later disagreed with Marshall.

Marshall was warmly introduced by Sen. Jacob K. Javits (R-N.Y.) and Sen. Robert F. Kennedy, (D-N.Y.) who as Attorney General helped put Marshall on the Federal bench in 1961.

The Committee also held a 10-minute confirmation session for Warren M. Christopher, 41-year-old Los Angeles lawyer nominated for the post of Deputy Attorney General, but deferred action.

By DANA BULLEN
One Half Year

Marshall referred McClellan to the government's brief filed by him in one of the recent cases, and Sen. Edward M.



THURGOOD MARSHALL

McCallum, pursuing his questioning, said he thought recent decisions "have weakened the law of law enforcement in this country." He said he wanted to find out from Marshall whether there might be "any possibility of a change when you become an associate justice."

Few problems were cited. Christopher, 47, was named to Supreme Court Justice William O. Douglas. He appeared that his nomination was considered uncontroversial.

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UPI-68

(MARSHALL)

WASHINGTON--THURGOOD MARSHALL, SEEKING TO BECOME THE FIRST NEGRO
ON THE SUPREME COURT, TODAY REFUSED TO GIVE HIS OPINION ON THE
CRIMINAL'S CONTROVERSIAL DECISIONS DEALING WITH VOLUNTARY CONFESSIONS.
MARSHALL'S BREAKFAST REFUSAL PROVOKED SEN. SAM J. ERVIN JR.,
D-M.C., TO COMMENT THAT IT WAS USELESS FOR THE SENATE JUDICIARY
COMMITTEE TO HOLD A HEARING ON THE NOMINATION.
ASKED SPECIFICALLY ABOUT THE PRECEDENT-SHATTERING MIRANDA DECISION
ON VOLUNTARY CONFESSIONS, MARSHALL REPEATED "I'M NOT GOING TO COMMENT
OR GIVE MY INTERPRETATION OF THAT OPINION. I JUST CAN'T DO IT."
THE 59-YEAR OLD SOLICITOR GENERAL WAS RECALLED FOR A SECOND DAY OF
QUESTIONING BY THE COMMITTEE WITH MORE APPEARANCES IN THE OFFING.
SENATE REPUBLICAN LEADER BIRKEN, RANKING GOP MEMBER ON THE PANEL,
SAID QUESTIONING WILL GO ON TUESDAY AND PROBABLY WEDNESDAY.
RESPITE ERVIN'S CRITICAL QUESTIONING, MARSHALL WAS CONSIDERED
CERTAIN OF CONFIRMATION AS THE 96TH JUSTICE OF THE SUPREME COURT.
MARSHALL AND ERVIN CLASHED FIRST ON THE SECTION OF THE CONSTITU-
TION WHICH STATES THAT NO PERSON IN A CRIMINAL CASE SHALL BE
COMPELLED OR COERCED TO TESTIFY AGAINST HIMSELF.
ERVIN INSISTED THAT THIS SECTION COULD NOT BE USED TO COVER
VOLUNTARY CONFESSIONS BUT MARSHALL REPLIED "WHERE DOES A CRIMINAL
CASE BEGIN AND WHERE DOES IT END?"

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ADD : MARSHALL, WASHINGTON (UPI-68)
ERVIN ASKED "DOESN'T COMPEL MEAN COERCION OR COMPELSION--NOT
VOLUNTARY."
MARSHALL REPLIED "I TRIED A CASE IN OKLAHOMA WHERE A MAN
VOLUNTARILY CONFESSED AFTER HE WAS BEATEN UP FOR SIX DAYS.
DESPITE REPEATED QUESTIONING BY ERVIN, MARSHALL REFUSED
TO DIVULGE HIS PERSONAL FEELINGS ON THE SECTION.
HE REFUSED EVEN WHEN ERVIN SAID THAT MARSHALL "SHOULD HAVE
SOME FIRM OPINIONS ON THE MEANING OF THE CONSTITUTION."
MARSHALL SAID "I THINK I HAVE A FIRM OPINION AT THIS TIME BUT
I THINK IT WOULD BE WRONG FOR ME TO GIVE IT AT THIS TIME."
HE REMINDED ERVIN THAT SIMILAR CASES ARE PENDING BEFORE THE
SUPREME COURT AND ANSWERING THE NORTH CAROLINA SENATOR'S QUESTION
WOULD MAKE IT MANDATORY TO DISQUALIFY HIMSELF WHEN THE CASES ARE
HEARD.

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Ervin Raps High Court At Hearing on Marshall

By DANA BULLEN

Our Staff Writer

Sen. Sam J. Ervin Jr., D-N.C., sharply criticized the Supreme Court today for its rulings upholding the 1965 Voting Rights Act and tightening police interrogation standards.

"The road to destruction of constitutional government in the United States is being paved with the good intentions of the judicial activists who all too often constitute a majority of the Supreme Court," Ervin said.

The views were expressed as Senate Judiciary Committee hearings on the appointment of U.S. Solicitor Gen. Thurgood Marshall to the Supreme Court entered their third day. The hearings, recessed shortly after noon, are scheduled to continue tomorrow.

Although Marshall continued to refuse to discuss current issues growing out of last spring's Miranda decision on confessions, he said he has "no quarrel" with properly handled

police lineups to permit witnesses to identify crime suspects.

Marshall, the first Negro ever nominated for a seat on the highest court, also made it clear that in his view justices of the Supreme Court are not entitled to rely upon "their personal views" in reaching decisions.

Ervin, who voted against the voting rights bill 2 years ago when it was before Congress, criticized particularly sections of the act requiring jurisdictions in which literacy tests are suspended to come to court in Washington to secure exemption from the act.

In his own state of North Carolina, Ervin said, a number of counties have been "condemned" under the act and would "have to come up here with all their witnesses."

"I'm not a justice of the Supreme Court and never will be," he said, "but if I were I'd rule that that is a pretty shabby form of due process."

Listing requirements laid down

See MARSHAL, Page A-6

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MARSHALL

Court Nominee Backs Police Lineup

Continued From Page A-1
by the Supreme Court for confessions, "no matter how voluntary," Ervin said this ruling added to the Fifth Amendment "something that is not in the Constitution" and is requiring the release of "self-confessed

murderers, rapists and robbers ... in large numbers."

Marshall, on the other hand, maintained that "violent crimes for the most part are spur-of-the-moment crimes, and the person committing it doesn't consider Miranda or anything else."

The decision a year ago requires police to effectively warn crime suspects of their right to remain silent and to have a lawyer provided to consult with them if they desire this before any questions are put to them.

A second member of the Judiciary Committee, Sen. John L. McClellan, D-Ark., joined Ervin in criticism of some of the high court's recent criminal law decisions.

Overruling of past decisions, said McClellan, is "indulged in too frequently" and is creating a "tragic situation" in which "chaos and confusion" pervade the criminal law.

Supports Lineups

Marshall, while agreeing with Ervin on some factual points raised by the senator, would not except Ervin's apparent view that the present justices are writing words into the Constitution that have never been there before.

The senator was able, over, to secure acknowledgment by Marshall that he would vote to overrule the Miranda decision for cause, as a justice, he over-

became convinced that the decision itself had been "w-

Concerning police lineups, Marshall agreed that a lineup is one of the ways to get at the truth in a criminal case.

Although Ervin checked interrogation of Marshall today's session, a number of committee members have to take their turn questioning the 39-year-old nominee.

A number of committee members, however, have some support for Marshall's appointment and despite the questioning that has developed at the hearing it is expected that the appointment will be approved by the Judiciary committee and the whole Senate.



Thurgood Marshall at the witness table.

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Col. [Signature]

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UPI-91

ADD MARSHALL, WASHINGTON
 ERVIN CAME TO THE SESSION ARMED WITH A BIG BROWN ENVELOPE FROM WHICH HE TOOK DOCUMENTS FROM TIME TO TIME TO USE FOR QUOTATIONS. CHIEF JUSTICE JOHN MARSHALL, DANIEL WEBSTER AND CHIEF JUSTICE HARLAN FISKE STONE WERE AMONG THE FIGURES OF HISTORY ERVIN PLACED ON RECORD ON CONSTITUTIONAL MATTERS. HE KEPT INTERSPERSING THE QUOTATIONS WITH QUESTIONS AS TO WHETHER MARSHALL AGREED. TURNING TO THE SUBJECT OF CRIME HE ASKED THE SOLICITOR GENERAL IF HE DID NOT AGREE THAT "THIS IS NO TIME FOR JUDGES TO BE INVENTING NEW RULES" TO HANDICAP POLICE IN ENFORCING THE LAW. MARSHALL SAID: "I DON'T BELIEVE ANY COURT DECISIONS--BY THE DECISIONS THEMSELVES--HAVE INCREASED CRIME." "I KNOW OF NO CASE," HE SAID AT ONE POINT, "THAT PREVENTS A MAN FROM WALKING INTO A POLICE PRECINCT AND SAYING WITH GREAT DETAIL, 'I COMMITTED THE FOLLOWING CRIME.'" BUT AS TO CONFESSIONS IN GENERAL HE SAID IT IS A MATTER OF DISAGREEMENT AMONG LAWYERS, DISAGREEMENT AMONG LAWYERS, JUDGES AND JUSTICES AS TO WHAT IS VOLUNTARY AND WHAT IS NOT. SEN. PHILIP A. HART, D-MICH., BROUGHT IN FOR THE COMMITTEE'S PERMANENT FILES A BIG BATCH OF BRIEFS SUBMITTED BY MARSHALL IN CASES HE ARGUED AS SOLICITOR GENERAL AND AS A PRIVATE ATTORNEY AND ALSO DECISIONS HE GAVE WHEN HE WAS ON THE 2ND U.S. CIRCUIT COURT OF APPEALS IN NEW YORK. HART ACTED FOR SEN. EDWARD M. KENNEDY, D-MASS., WHO PROMISED TO DO THIS YESTERDAY BUT WAS CALLED TO BOSTON TODAY. HART SAID ALL THIS MATERIAL GIVES THE COMMITTEE AS GOOD AN IDEA OF MARSHALL'S LEGAL AND CONSTITUTIONAL PHILOSOPHY AS HAS BEEN OBTAINED FOR "ANY NOMINEE IN ALL HISTORY." ERVIN SAID HE DIDN'T HAVE TIME TO READ THESE OFFERINGS AND WOULD PREFER TO HAVE MARSHALL ANSWER QUESTIONS NOW ABOUT THE MEANING OF THE CONSTITUTION.

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ADD 3 MARSHALL, WASHINGTON

"FRANKLY I AM ANNOYED THAT THE NOMINEE WILL NOT DO WHAT JOHN ALDEN WAS EMPOWERED TO DO--SPEAK FOR HIMSELF," ERVIN SAID. MARSHALL DID SAY AT ONE POINT THAT "THE CONSTITUTION WAS MEANT TO BE A LIVING DOCUMENT." HE SAID THE SUPREME COURT IN ITS EARLY DECISIONS HELD THAT THE CONSTITUTION WAS TO BE INTERPRETED "TO APPLY TO CHANGING SITUATIONS."

IT WAS NOT INTENDED TO MEET EACH INDIVIDUAL PROBLEM AS IT CAME UP BECAUSE THE FRAMERS COULD NOT HAVE FORESEEN THEM ALL, THE SOLICITOR GENERAL TOLD THE COMMITTEE.

ERVIN ASKED HIM WHETHER A JUSTICE OF THE SUPREME COURT IS EVER AUTHORIZED TO CHANGE ITS MEANING WHILE SEEMING TO INTERPRET IT.

"A JUDGE SHOULD NEVER USE HIS PERSONAL OPINIONS IN ANY FASHION IN WRITING AN OPINION IN A LAWSUIT," MARSHALL AID.

AT THE END OF ONE LONG SESSION OF QUESTIONS HE SAID, "I WILL APPLY THE CONSTITUTION IN THE BEST MANNER I POSSIBLY CAN."

BUT HE SAID IT WOULD BE WRONG FOR HIM TO GIVE AN OPINION THAT WOULD REQUIRE HIM TO DISQUALIFY HIMSELF WHEN A CASE ON THAT SUBJECT CAME TO THE SUPREME COURT.

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Hearings on Marshall Slated to End Monday

By DANA BULLEN
Star Staff Writer

Sen. James O. Eastland, D-Miss., plans to wind up Senate Judiciary Committee hearings on Thurgood Marshall's appointment to the Supreme Court with a final session next Monday.

Although he will be in Mississippi the remainder of this week, Eastland, the Judiciary Committee chairman, made it clear that he does not mean for the confirmation hearings to bog down.

Eastland said that he had been prepared to conclude the confirmation hearings yesterday but that he scheduled another session after a senator asked for a further chance to question Marshall.

The 39-year-old U.S. solicitor general, the first Negro ever nominated for a seat on the nation's highest court, had met with the committee four times during the last week.

Although he declined to discuss current issues growing out of the Supreme Court's Miranda decision tightening rules on confessions, Marshall supported police lineups for identification of suspects by witnesses.

He also has said that nothing the Supreme Court has said "prevents a man from walking into a police precinct and saying, 'I committed the following crimes.'" Although Eastland declined to identify the committee member who asked for a further session of the hearings, Sen. John L. McClellan, D-Ark., told reporters that he had suggested such a further session.

At yesterday's hearing, Marshall contended firmly that no judicial officer should be controlled by personal views in reaching decisions. "My own sense of right and wrong is the Constitution itself," he said.

As a justice, Marshall said, he

"would make every effort" to read the Constitution in its entirety and apply the law to the facts in individual cases "without any personal predilection."

Under questioning by Eastland, Marshall for 28 years counsel for the NAACP Legal Defense Fund, denied that he had ever been "prejudiced against white people."

Denying that the Supreme Court is "an instrument of social change," Marshall said that he would afford fair treatment to Southerners or anyone else as a justice.

On another point, Marshall told Eastland that he "positively did not know" that a book cited by Marshall in an opinion while a judge of the Second U.S. Court of Appeals in New York had been written by an American Communist leader.

The only witness to testify besides Marshall at the hearings was a spokesman for the conservative Liberty Lobby, who accused the solicitor-general of "a record of duplicity and arrogance" during his professional life.

Michael D. Jeffe, the group's general counsel, maintained that Marshall was disqualified for a position on the nation's highest court by prior experience as a "pleader for a narrow special interest group."

So far nine of the Judiciary Committee's 18 members have announced support for Marshall's appointment and it appeared that the Judiciary Committee and whole Senate will support the nomination.

The committee could forward the nomination to the floor quickly after next Monday's final hearing session. There has been no sign so far that any type of filibuster will be attempted within the committee to delay action.

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CAPITOL STUFF

By TED LEWIS

Washington, July 20—For two weeks, off and on, the Senate Judiciary Committee has held hearings on the qualifications of Thurgood Marshall to be the first Negro Supreme Court Justice.

There will be another hearing next week and then, in its own good time, the committee will send the nomination to the Senate where confirmation is considered certain.

Why Marshall Is Receiving a Southern Frying

This interrogation of Marshall at length has been almost entirely by Southern members of the committee, in particular Chairman James O. Eastland (D-Miss.), John McClellan (D-Ark.), Sam Ervin (D-N.C.) and Strom Thurmond (R-S.C.).

In each case, the individual has simply wanted to probe Marshall's "judicial philosophy" and capacity for "judicial restraint."

There has been constantly a flow of careful expressions by the questioners that the fact that Marshall is a Negro has absolutely nothing to do with the interrogations.

This is a good line. It carries the admirable connotation that members of the Judiciary Committee must probe carefully to determine whether a Supreme Court nominee is worthy of the job.

Now Marshall happens to be President Johnson's second nominee for a Supreme Court vacancy—that resulting from the June 12 resignation of Justice Tom Clark. The first was Abe Fortas, nominated by the President on July 28, 1965, to take the place of Justice Arthur Goldberg.

This same Judiciary Committee on Aug. 5, 1965, at 10:35 A. M., opened a hearing to determine Fortas' qualifications. It was all over at 1:15 P. M. In less than three hours, the members had been able to decide that Fortas was admirably qualified and, on Aug. 11, the Senate similarly agreed without even going through the motions of a roll call vote.

What is the difference between the Fortas and Marshall cases? Well, it probably was significant that Fortas, back in August, 1965, had been "like that" with Johnson. He also had been a friend of Walter Jenkins and Fortas' law firm also had represented Bobby Baker in one facet of Baker's legal-financial entanglements.

So presumably there was no question about his judicial philosophy or judicial restraint. The record of those Fortas hearings shows, for example, that Sen. Ervin, who now wants to know in detail how Marshall's judicial mind clicks, was totally disinterested in what went on inside Fortas' head.



Thurgood Marshall
A man on the move

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Ervin Didn't Have a Single Question

At the Fortas hearing, chairman Eastland asked Ervin if he had any questions for Fortas.

"No questions," replied the Senator.

Eastland also was most solicitous of Fortas.

An anti-Fortas witness, Mrs. Marjorie Shearon, had charged that Fortas once had been a member of a Communist-front organization. Eastland put some follow-up questions to Fortas in the most friendly way, designed to knock down all suggestions that Fortas, at any time, ever had his feet in the wrong door, intentionally or unintentionally.

During the present Marshall hearings, this generosity has not been displayed by Eastland toward the court nominee. Instead, the chairman said at one point that "I don't want to give the impression that you are a Communist or anything like that," but it was nevertheless unfortunate that Marshall, while a Court of Appeals judge, had cited in an opinion a book by a known Communist.

It certainly could never be imagined that Eastland, during the Fortas hearings, would have put the same question that he put to Marshall yesterday. That question was:

"You will give the same fair, square treatment to the people in the South as in other areas?"

A Message for the Folks at Home

There is a valid and honest explanation for the way Southern members of the judiciary group have badgered Marshall in contrast to the way they embraced Fortas.

If they would only not phony up the situation, they could be deeply sympathized with.

There is a difficult political problem for these Senators. It centers around the reaction of the folks back home to the Marshall case. As a Negro, he symbolizes the civil rights cause. For a Senator to openly support Marshall could be the equivalent of committing political suicide.

Therefore, it behooved the Deep South members of the committee to take the lead during the hearings with sharp, if not insulting, interrogation of Marshall.

And toss out such delicate queries as: "Are you prejudiced against white people from the South?"

At the same time, while they must protect their political fences back home, they cannot in this instance either filibuster against, or otherwise pigeonhole, the Marshall nomination. To do so would only get them in bad with the President who, they well know, figures his appointment of Marshall could help the party nationally in Presidential 1968.

Moreover, to thwart the White House on this top-flight judicial appointment could bring real retributions—loss of control of those District and Appeals Court judgeships back home.

So, the Marshall nomination will be sent to the Senate for confirmation. Southern Senators generally are anxious for a little parliamentary skulduggery at that time also. They don't want to be forced to record themselves in a roll call vote. Confirmation sort of by acclamation, as in the Fortas instance, would be politically perfect and probably may be expected.

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Senate Confirms Marshall, 69-11, For High Court

Will Become First Negro In Tribunal

A By Robert C. Albright
Washington Post Staff Writer

President Johnson's appointment of Solicitor General Thurgood Marshall to be the first Negro member of the United States Supreme Court was approved yesterday by a landslide 69-to-11 vote of the Senate.

Confirmation came as an anticlimax after six hours of mostly listless debate, during which hard-core Southern opponents challenged not Marshall's race but his "activist" temperament.

Liberal and moderate supporters, taking his confirmation for granted, occupied themselves mainly with vouching Marshall's background and high legal batting average.

Good Record Cited

As counsel for the National Association for the Advancement of Colored People, he had won 29 out of 32 cases before the Supreme Court, and as Solicitor General, 14 out of 19. Supporters termed it a probably unprecedented record.

"I am greatly honored," said Marshall, in a statement after the vote.

"Let me take this opportunity to affirm my deep faith in this Nation and its people, and to pledge that I shall be ever mindful of my obligation to the Constitution."

and to the goal of equal justice under law."

The Supreme Court is in recess and Marshall is expected to be sworn when it begins its new term in October.

View of the Majority

After the votes had been counted and the roll call announced, Senate Democratic Leader Mike Mansfield (Mont.) summed up the view of the majority.

"This is a shining hour for Mr. Marshall, for President Johnson, for the Senate and for the United States of America," Mansfield told the Senate. "We have come a long, long way toward equal access to the Constitution's promise. We shall go further along that way."

It was the third time in seven years that Marshall's name had been put to a vote of the Senate for high legal office. In 1962 President Kennedy named him a judge of the U.S. Circuit Court for the Second Judicial Circuit. The Senate

confirmed him then, 54 to 18. When in 1965 President Johnson appointed him Solicitor General, the Senate approved by a simple voice vote.

He was nominated on June 23 for the Supreme Court vacancy left by the retirement of Associate Justice Tom C. Clark, but for weeks hearings dragged on in the Senate Judiciary Committee. The committee finally recommended confirmation by a vote of 11 to 5. As in yesterday's Senate finalizing action, the "no" votes came from the South.

Both of Maryland's Democratic Senators, Daniel B. Brewster and Joseph D. Tydings, voted for confirmation. Virginia's freshman Democrat, Sen. William B. Spitzer, also

voted "Aye." Sen. Harry F. Byrd Jr., (D) was not recorded.

The late Sen. Harry F. Byrd Sr. had cast his vote against Marshall's confirmation for circuit court judgeship in 1962, as had former Sen. A. Willis Robertson (D-Va.).

Sen. Robert C. Byrd (D-W.

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W. Marshall

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The Washington Post _____
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The Washington Daily News _____
The Evening Star (Washington) _____
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The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____

Date **AUG 31 1967**

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He suggested that Marshall, though he had specialized in civil rights legislation, didn't know the names of the men who drafted the 14th Amendment.

Thermocoups (A.C.)
Not voting but paired (pairs are used
to denote the positions of members
when one or both are absent); Motion
Carried (C. Mover) for confirmation—see
the (10-11-68), meeting.

"I shall be ever mindful of . . . the Constitution . . . to the goal of equal justice."
 —Thurmond Marshall

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Public Cast of Tribunal Is Hazy

Court Retains Liberal Gains

By John P. MacKenzie

Washington Post Staff Writer

When the Senate confirmed the nomination of Thurgood Marshall to the Supreme Court yesterday, it also nailed down the liberal gains of more than a decade of the "Warren Court."

But on the question of what new developments in constitutional law Marshall might help to bring about, only his Southern opponents were willing to predict. They were certain that Marshall, replacing the slightly right-of-center Tom C. Clark, would fortify the liberal or "activist" Court majority.

Marshall himself was not saying. While his Senate detractors were talking themselves out, the folksy, 50-year-old Solicitor General was sticking to President Johnson's advice to make no statements "to anybody about anything."

His nomination, hardly a practical idea just a few short years ago, had been made to seem quite logical once he stepped off the Federal bench to become the Johnson Administration's chief representative in the Supreme Court.

Combats Complaints

Whether by spoken agreement or by tacit understanding between old pros, Marshall and the President, Marshall set about systematically to argue the widest variety of cases—even entering the antitrust thicket—to answer complaints that his legal experience was limited to civil rights.

Supporters on the Senate floor emphasized the hazards of predicting the judicial conduct of a new Justice, but it would surprise everyone if the first Negro on the Court turned a conservative corner. His career as the Nation's top civil rights lawyer embraced these decades of grimy con-

spiring for legal recognition of the rights of minorities.

His swearing-in at the Oct. 2 meeting of the Court however, will come at a time when Marshall must appear to be a conservative figure in the minds of many disaffected Negroes. The President chose Marshall precisely because he had become a symbol of orderly social change through the legal process, and the nominee has given no encouragement to the latter-day militants.

Only a few years ago, before the focus of racial unrest turned to Northern cities, Marshall was asked why he was not working in Selma, Ala. He replied that he had tolled the Black Belt "before you were born."

Could Make Difference

Marshall has left to others the task of championing the rights of ghetto residents amid the hostility born of urban rioting. The men who replaced him on the legal staff of the NAACP Legal Defense Fund are now asking Marshall and his eight colleagues to curtail the "stop and frisk" powers of city police because of the ghetto climate of mutual suspicion between Negroes and the authorities.

His vote could make a sharp difference on a Court that has divided closely over police search powers. Police insist that they need the power to stop suspicious persons and frisk them in self-defense. Liberal lawyers say the technique is often used to get evidence by circumventing the constitutional rights of citizens.

Marshall's approach could well reflect his experience both in ghettos and among the affluent. He tells a story of two encounters with New York City police, one in Harlem and the other in downtown Manhattan.

A Harlem officer stopped him on the street and demanded his identity and Marshall told him it was none of his business. The downtown officer stopped

him and Marshall immediately identified himself—he doesn't know why to this day.

The new Justice takes a practical view of the rights of citizens under arrest. He is fond of saying, "If I'm in a room with you and you ask me some questions, that's one thing, but if I'm in a room alone with Joe Louis, all I want to know is: what does he want me to say?"

Attitude Indicated

Marshall's actions on the Second Circuit Court of Appeals

between 1961 and 1965 indicate that he would have voted with four dissenters in recent cases where fundamental relationships between state and Federal courts were at stake. The majority refused, in a case from Mississippi, to make it easier for civil rights workers to remove criminal prosecutions against them from state courts to the more friendly Federal forum.

Senate Judiciary Committee Chairman James O. Eastland (D-Miss.) said yesterday that he was sure Marshall would vote to reverse the decision, but it is not uncommon for Justices in Marshall's position to abide by a decision so recently handed down.

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But another Mississippi case before the Court raises a related, unsettled question: whether Federal Judges should move in to enjoin prosecutions allegedly brought to harass civil rights workers. Just by not saying "anything to anybody about anything" since his nomination, Marshall has won the right to help the Supreme Court decide that issue and many others.

The Washington Post

Times Herald **A7**

The Washington Daily News

The Evening Star (Washington)

The Sunday Star (Washington)

Daily News (New York)

Sunday News (New York)

New York Post

The New York Times

The Sun (Baltimore)

The Worker

The New Leader

The Wall Street Journal

The National Observer

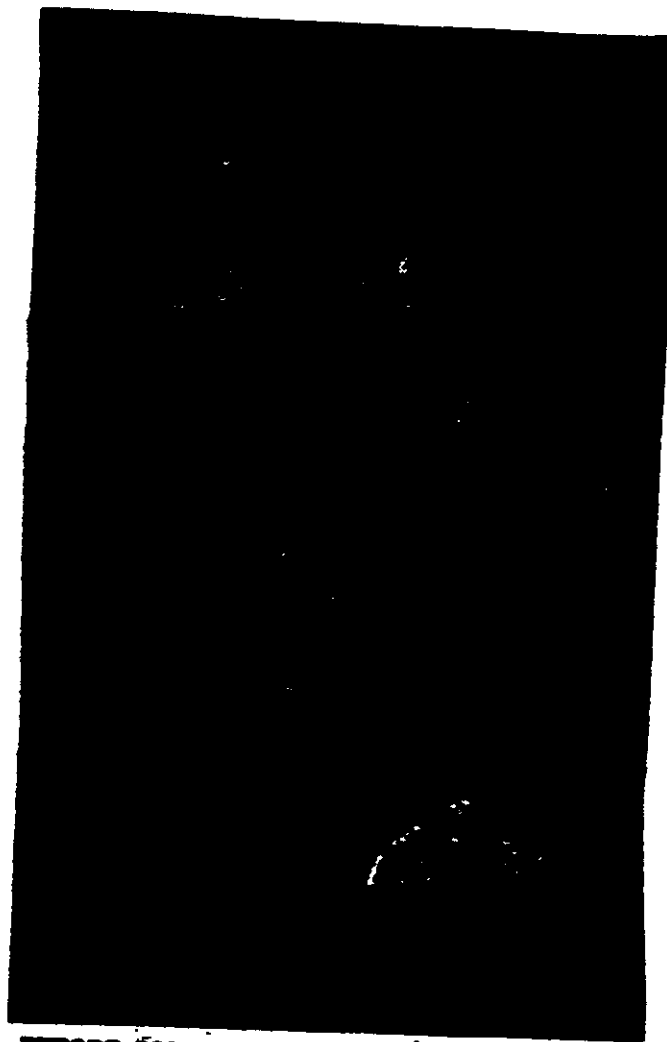
People's World

AUG 31 1967

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BEFORE COURT—This was Thurgood Marshall at the time he argued for desegregation of schools in 1944

Only Family and Friends See Marshall Sworn In by Black

By DANA BULLEN

"I sure got sworn in," said Thurgood Marshall, beaming.

He stood in the bare Supreme Court office that he will move into on Tuesday, chatting easily with Justices Hugo L. Black and William J. Brennan Jr.

Minutes earlier Black had sworn in Marshall in his own chambers up the hall as the first Negro Supreme Court justice in history.

There was no announcement, and nobody except family and a few friends were present.

Not many years ago the moment would have been impossible, even unthinkable.

But there in the office late yesterday, an historical moment merged into small talk about what color rug to put in, whether the fire place worked, and so on.

On a side, one of the few pieces of furniture left in the rooms formerly occupied by Justice Tom C. Clark, whom Marshall succeeds, Mrs. Marshall and the new justice's two small sons—Thurgood Jr., 11, and John, 9—sat looking on.

Will Have Bible

Holding a white-covered Gideon's Bible that Black had given her husband to mark the occasion, Mrs. Marshall said:

"It's thrilling. I haven't quite gotten over the confirmation yet. I still have butterflies in my stomach."

Two days earlier, on Wednesday, the Senate approved Marshall's nomination, 69-to-11. With one exception, Sen. Robert C. Byrd, D-W. Va., all of the votes against the President Johnson's appointee were by Southern senators, many of them bitter critics of Supreme Court rulings.

In the stark office at the Supreme Court, however, the mood was different. Quiet. Smiling.

Saying that Marshall "goes to work now," Black said, "I need somebody to help me sign these orders."

In the Bible that Black had given Marshall, Black had

directed the new justice's attention to a passage stating:

"And so abideth faith, hope, charity, these three; but the greatest of these is charity."

Black, Brennan, Atty. Gen. Ramsey Clark and others who attended the swearing in had written their names in the margin.

Inside the front cover, Black had written:

"I am happy to present this Bible to the Hon. Thurgood Marshall on the date I administered the oath of office to him as Associate Justice of the United States."

Others present included T. Perry Pipitt, the court's marshal, Mrs. Black, Black's secretary and two of Black's law clerks. Of the nine justices, it happened that only Black and Brennan were at the court.

A First for Black

When the court opens its new term on the first Monday in October, Marshall will take a second, "judicial" oath too. The one he took yesterday permits him to perform all court func-

tions except decide cases, however.

It was the first time Black had ever sworn in another justice.

"I was very glad to administer the oath," he said.

Asked about the significance of the occasion, Black, 61, who long has fought for equal rights for all Americans, simply smiled more warmly.

No one needed reminding that Marshall, 59, was for 23 years counsel for the NAACP Legal Defense Fund, that he was the lawyer who won the 1954 school desegregation case, that President Kennedy had made him a federal appeals court judge and that now, after a term as U.S. solicitor general, the son of a Pullman car steward and the great-grandson of a slave had been elevated to one of the highest posts in the nation.

It was all there, though.

The moment dissolved, finally, when Marshall, Brennan and a few others simply wandered off.

Brennan wanted to show his new colleague his new green rug.

The Washington Post
Times Herald
The Washington Daily News
The Evening Star (Washington)
The Sunday Star (Washington)
Daily News (New York)
Sunday News (New York)
New York Post
The New York Times
The Sun (Baltimore)
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World

Date

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37 SEP 1967 391

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 9-4-62

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages 17272-17273. Senator Javits, (R) New York, spoke concerning the postponement of Judiciary Committee hearings on the nomination of Thurgood Marshall. Senator Javits included with his remarks an editorial published in the Durham Morning Herald of Durham, North Carolina, entitled "Delay Hurts South, Not Marshall." The editorial states "His personal background has been thoroughly checked and approved by an FBI investigation."

NOT RECORDED
19 SEP 14 1962

In the original of a memorandum captioned and dated as above, the Congressional Record for 8-31-62 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

62

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UPI-206

(DODD)

WASHINGTON--SEN. THOMAS J. DODD, D-CONN., A MEMBER OF THE SENATE JUDICIARY COMMITTEE, STRONGLY RECOMMENDED IT ~~BE~~ PROMPT APPROVAL TOMORROW TO THE NOMINATION OF THURGOOD MARSHALL TO THE SUPREME COURT.

"I CONSIDER THURGOOD MARSHALL TO BE ONE OF THE REALLY GREAT AND DISTINGUISHED AMERICAN MEN OF THIS COUNTRY," DODD SAID IN A STATEMENT.

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Vertical stamp: JUL 13 1967

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62 JUL 21 1967

WASHINGTON CAPITAL NEWS SERVICE



Justice Hugo L. Black (left) and Thurgood Marshall talk after Black, 81, oldest justice on the Supreme Court, swore in Marshall yesterday as the high court's first Negro justice.